

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

March 28, 2017

Page 9713

Notice was duly published March 21, 2017 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on March 28, 2017 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram present. Chairman Schram stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and invited the public to address the Commission. No public comments were received. No announcements were made.

Attention was called to the following proceedings:

Tuesday, March 28, 2017:

1:30 Commission Hearing Room, Lincoln
C-4892 In the Matter of the Nebraska Public Service Commission, on its own Motion, to conduct an inquiry into failure of CenturyLink to comply with its September 20, 2016 Order and requiring it to Show Cause why the Commission should not impose administrative penalties. Commissioner Tim Schram presiding as Hearing Officer.

Tuesday, April 4, 2017:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

COMMUNICATIONS DEPARTMENT

C-4890 In the Matter of the Commission on its own motion, seeking to determine the surcharge for the statewide Telecommunications Relay System (TRS) to be effective July 1, 2017, in the State of Nebraska. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an order setting the surcharge. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

AD-632r In the Matter of the Application of Public Policy Polling, Raleigh, North Carolina, seeking authority to register the connection of an automatic dialing-announcing device. Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Cullen Robbins informed the Commission that the Communications Department is working with the Nebraska Telecommunications Association (NTA) to plan the Annual Broadband Conference set for October 26, 2017.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

March 28, 2017

Page 9714

COMMUNICATIONS DEPARTMENT (Cont.)

Cullen Robbins discussed a proposed rate change for Stanton Telecom, Inc., effective July, 2017 with the public meeting scheduled for April 18, 2017.

The date of the Nebraska Broadband Today! Conference on October 26, 2017 was also announced.

NEBRASKA UNIVERSAL SERVICE FUND

NUSF-33/ In the Matter of the Nebraska Public Service Commission, on
PI-192 its own motion, seeking to investigate the audit
requirements related to the Nebraska Universal Service
Fund: Intermedia Voice Service, Inc. and ItsOn, Inc. Motion made by
Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to
enter an Order granting late-filed waiver requests. Motion passed with
Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades
and Tim Schram voting AYE.

NUSF-108 In the Matter of the Nebraska Public Service Commission, on
its own motion, to make adjustments to its high-cost
distribution mechanism and make revisions to its reporting
requirements. Motion made by Commissioner Frank Landis, seconded by
Commissioner Mary Ridder to enter an Order to approve Findings and
Conclusions. Motion passed with Commissioners Rod Johnson, Frank
Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

LEGISLATIVE

Nichole Mulcahy stated that LB 263 had been advanced to
General File on March 15, 2017 and was on the March 28, 2017
Legislative Agenda. She further reported that LB 127 moved out of
Committee on March 17, 2017 with an Amendment filed.

TRANSPORTATION DEPARTMENT

B-1718 In the Matter of Leisure Limousine & Sedan, Inc., Lincoln,
seeking to extend its authority as a common carrier in
Nebraska intrastate commerce in the transportation of passengers and
their baggage in limousine service by luxury and stretch limousine and
sedan and van between points in York and Gage counties, and between
points in said counties, on the one hand, and, on the other hand,
points in Nebraska over irregular routes. RESTRICTION: The
transportation of railroad crews and their baggage is not authorized.
HHS Designation: No. Motion made by Commissioner Frank Landis,
seconded by Commissioner Rod Johnson, to enter a nunc pro tunc order.
Motion passed with Commissioners Rod Johnson, Frank Landis, Mary
Ridder, Crystal Rhoades and Tim Schram voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1718 In the Matter of Leisure Limousine & Sedan, Inc., Lincoln, seeking to extend its authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class by van and SUV between points in Douglas, Sarpy, Lancaster, Washington, Saunders, Seward, Cass, Saline, Gage, Otoe, York, Hamilton, and Hall Counties, and between said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes: Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

B-1741 In the Matter of Pristine Limousine, LLC, North Platte, seeking to cancel its Certificate of Public Convenience and Necessity issued in Application No. B-1741: Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order cancelling the certificate. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

MCC-3192 Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant vs. Black Tie Limousine; D&L Express, Inc.; Denver Coach, Inc.; National Health Transport, Inc.; Goodwill Medical Transportation; The Happy Bus, LLC; Advantage Moving; Canning Truck Service, Inc., Respondents. Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order to dismiss in part. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

BR-527/
B-1778 In the Matter of Down The Hatch, Inc., Lincoln, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3: Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to enter an order granting the rates on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

LR-353/
B-1718 In the Matter of Leisure Limousine and Sedan, Inc., Lincoln, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3: Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to enter an order granting the rates on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

March 28, 2017

Page 9716

GRAIN WAREHOUSE DEPARTMENT

GW-20 In the Matter of the attached list of warehouse license applications for the first quarter of 2017: John Fecht reported on the first quarter grain warehouse renewal applications.

GD-153 In the Matter of the attached list of grain dealer license applications for the first quarter of 2017: John Fecht reported on the first quarter grain dealer renewal applications.

GD-3018 In the Matter of the application of Stonebridge, Ltd., dba Stonebridge Agra Marketing, Ltd., Cedar Falls, Iowa, seeking authority to operate as a grain dealer pursuant to Neb. Rev. State. § 75-903 (Reissue of 2009): Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order granting the Grain Dealer License. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

GENERAL ADMINISTRATION

Chairman Schram invited the public to address the Commission. No public comments were received.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades present not voting.

Central Finance-OCIO-Network Services	\$	4,218.06
City of York-Holthus Convention Center		900.00
Mary Ridder		907.36

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM:	\$	5,749.31
Alternative Hearing		
Avera Medical Group		
Beltone		
Harris Communications		
Professional Hearing-Aid Services		
Sherard Hearing Centers		
Teltex Inc.		

The following invoices were paid between 3/21/17 and 3/27/17 and should be ratified:

Hewlett Packard	\$	790.66
-----------------	----	--------

GENERAL ADMINISTRATION (Cont.)

No motion was made on the Executive Director's recommendation to approve minutes for January and February 2017.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to authorize 911 Director David Sankey to attend the National Emergency Number Association (NENA) and National Association of State 911 Administrators (NASNA) annual meeting in San Antonio, TX, from June 3 to June 7, 2017, with all expenses to be paid by the Commission. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the recommendation for a motion to go into closed session to discuss personnel matters, the closed session being necessary for the protection of public interest or the prevention of needless injury to the reputation of an individual. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

The Chair restated that the purpose of the closed session is to discuss personnel matters. The closed session discussion will be so limited. The time was noted as: 10:25 a.m.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the recommendation for a motion to return to open session. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE. The time was noted as 10:47 a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to approve the Recommendation to seek an Attorney General Opinion in relation to Neb. Rev. Stat. sections 75-102 and 75-106. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Commissioner Rhoades requested the minutes to reflect that she would like to include the following in the Attorney General Opinion Request Letter:

"Mr. Pursley's employment contract states that he may be terminated for "just cause." Among the list of examples constituting "just cause" is any material misrepresentation or concealment during the recruitment and selection process in his employment. If Mr. Pursley did not advise the Commission of his intent to continue his employment with Parrish, Blessing & Associates, or if he provided differing accounts in reference to his other employer and the duration for which he planned to continue that employment, would this constitute a material misrepresentation or concealment during the selection process?"

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

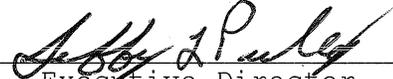
March 28, 2017

Page 9718

The meeting adjourned at 10:52 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram present. The next regularly scheduled meeting will be held on April 4, 2017 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on April 3, 2017.



Chairman



Executive Director