

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

June 6, 2017

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Notice was duly published May 30, 2017 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on June 6, 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. Chairman Schram thanked Executive Director Jeffrey Pursley for his service to the Commission.

Attention was called to the following proceedings:

Tuesday, June 13, 2017:

10:00 Commission Hearing Room, Lincoln
 Commission Meeting

10:30 Commission Hearing Room, Lincoln
 Manufactured Home Program Workshop

COMMUNICATIONS DEPARTMENT

C-4856/ In the Matter of IM Telecom, LLC d/b/a Infiniti Mobile,
NUSF-107 Tulsa, Oklahoma, for Designation as an Eligible
 Telecommunications Carrier in the State of Nebraska: Motion
made by Commissioner Frank Landis, seconded by Commissioner Rod
Johnson, to enter an order denying the application. Motion passed with
Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades
and Tim Schram voting AYE.

C-4858/ In the Matter for Declaratory Order of Qwest Corporation
DR-0007 d/b/a CenturyLink QC, United Telephone Company of the West
 d/b/a CenturyLink and Dex Media, Inc., seeking a
determination that Neb. Admin. Code, Title 291, Chap. 10, §019.01 et
seq.; Title 291, Chap. 5, §002.22A and 010.09; and Title 291, Chap.
10, §006.07A be clarified or waived entirely or partially to permit
compliance by digitally published directories, including online,
rather than traditional paper printing and publication: Motion made by
Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to
enter an order approving notice. Motion passed with Commissioners Rod
Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram
voting AYE.

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COMMUNICATIONS DEPARTMENT (Cont.)

C-4907 In the Matter of the Application of Dirk Grenemeier, Clarks, seeking authority to receive advanced telecommunications service from the Hordville Exchange of the Hamilton Telephone Company: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4910 In the Matter of Stanton Telecom Inc., Stanton, Nebraska, seeking a residential and business rate increase: Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an order approving the stipulation. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4916 In the Matter of the Application of Legacy Long Distance International, Inc., and Jail Education Solutions, Inc., d/b/a Edovo, Cypress, California, seeking approval of a transfer of control of Legacy Long Distance International, Inc. to Jail Education Solutions, Inc., d/b/a Edovo: Motion made by Commissioner Mary Ridder, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4918 In the Matter of the Application of 1 800 Collect, Inc., d/b/a Simple Billing Solutions, San Diego, California, seeking to withdraw their interexchange authority;

C-4920 In the Matter of the Application of OrbitCom, Inc., Sioux Falls, South Dakota, seeking to withdraw their interexchange authority; and

C-4922 In the Matter of the Application of Opcom, Inc., d/b/a WCS Telecom, Billings, Montana, seeking to withdraw their interexchange authority: Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to enter orders granting applications C-4918, C-4920 and C-4922. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

ADC-11 In the Matter of Cullen Robbins, Director of the Communications Department of the Nebraska Public Service Commission, Complainant, v. Voice Broadcasting, Defendant: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order dismissing the complaint. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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COMMUNICATIONS DEPARTMENT (Cont.)

Cullen Robbins discussed the TRS Late-Filed Remittances: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, that one-time waivers be issued to Crexendo Business Solutions, Inc., Republic Wireless, Inc., and XO Communications Services, LLC. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4897 In the Matter of ATC Communications, Arapahoe, Nebraska, seeking a residential rate increase. Cullen Robbins informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent June 1, 2017, informing ATC Communications that the rate increase could be implemented.

C-4898 In the Matter of WestTel Systems, Remsen, Iowa, seeking a residential rate increase. Cullen Robbins informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent June 1, 2017, informing WestTel Systems that the rate increase could be implemented.

C-4899 In the Matter of Glenwood Network Services, Blue Hill, Nebraska, seeking a residential and business rate increase. Cullen Robbins informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent June 1, 2017, informing Glenwood Network Services that the rate increase could be implemented.

C-4900 In the Matter of Pierce Telephone Company, Pierce, Nebraska, seeking a residential and business rate increase. Cullen Robbins informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent June 1, 2017, informing Pierce Telephone Company that the rate increase could be implemented.

C-4901 In the Matter of Southeast Nebraska Telephone Company, Falls City, Nebraska, seeking a residential and business rate increase. Cullen Robbins informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent June 1, 2017, informing Southeast Nebraska Telephone Company that the rate increase could be implemented.

C-4902 In the Matter of Mainstay Communications, Henderson, Nebraska, seeking a residential rate increase. Cullen Robbins informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent June 1, 2017, informing Mainstay Communications that the rate increase could be implemented.

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COMMUNICATIONS DEPARTMENT (Cont.)

C-4903 In the Matter of Glenwood Telephone Membership Corporation, Blue Hill, Nebraska, seeking a residential and business rate increase. Cullen Robbins informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent June 1, 2017, informing Glenwood Telephone Membership Corporation that the rate increase could be implemented.

C-4917 In the Matter of Hershey Cooperative Telephone Company, Hershey, Nebraska, seeking a residential rate increase. Cullen Robbins informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent June 1, 2017, informing Hershey Cooperative Telephone Company that the rate increase could be implemented.

Cullen Robbins informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month.

Telephone Company	City	Outage Date	Outage Time	Date Reported	Time Reported	Completion on Date	Completion Time	Duration Hrs:Min:Sec	Cause of Outage	Number of Access Lines	
CenturyLink	Lexington	<u>5/1/2017</u>	12:12:00 PM	5/1/2017	2:09:00 PM	<u>5/12/2017</u>	5:00:00 PM	268:48:00	Damaged Cable	189	Cable became wet when a manhole flooded
CenturyLink	Omaha	<u>5/4/2017</u>	4:46:00 PM	5/5/2017	5:30:00 PM	<u>5/6/2017</u>	7:00:00 AM	38:14:00	Cable Cut	108	Human Error
CenturyLink	Sidney	<u>5/9/2017</u>	12:26:00 PM	5/9/2017	2:25:00 PM	<u>5/9/2017</u>	6:25:00 PM	5:59:00	Cable Cut	142	Vehicle Hit Pedestal Damaging cable
CenturyLink	Omaha	<u>5/15/2017</u>	10:00:00 AM	5/15/2017	11:51:00 AM	<u>5/15/2017</u>	9:20:00 PM	11:20:00	Cable Cut	134	Human Error - Public
CenturyLink	Humphrey	<u>5/22/2017</u>	7:34:00 PM	5/22/2017	9:37:00 PM	<u>5/23/2017</u>	7:30:00 PM	23:56:00	Cable Cut	127	Human Error - Public
CenturyLink	Omaha	<u>5/28/2017</u>	12:22:00 PM	5/30/2017	9:01:00 AM	<u>5/30/2017</u>	6:30:00 PM	54:08:00	Cable Damaged	198	Wet Copper Cable due to Rain in the area.

NEBRASKA UNIVERSAL SERVICE FUND

NUSF-37.344 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Republic Wireless, Inc., Respondent(s): Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an order dismissing complaint. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NUSF-107/ C-4856 In the Matter of the IM Telecom, LLC d/b/a Infiniti Mobile, Tulsa, Oklahoma, for Designation as an Eligible Telecommunications Carrier in the State of Nebraska. This matter was addressed on the Communications Department's agenda, denying the application.

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NEBRASKA 911 DEPARTMENT

911-042.65 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Dixon County: Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order approving use of funding. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

911-060.32 In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions: Boyd-Holt Joint E-911 Dispatch: Motion made by Commissioner Mary Ridder, seconded by Commissioner Frank Landis, to enter an order modifying funding. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NATURAL GAS DEPARTMENT

NG-0078.3 In the Matter of Black Hills Distribution, LLC, d/b/a Black Hills Energy seeking authority to increase the Safety and Integrity Charges and decrease the Pipeline and Safety Charges in its Nebraska Tariff. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Assessment Order BE-0011. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NG-0090 In the Matter of Black Hills/Nebraska Gas Utility, LLC, d/b/a Black Hills Energy, Papillion, seeking approval of a Farm Tap Safety Proposal and Associated Tariff. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter Assessment Order BE-009. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

E-2430 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Kearney County: No motion was made. This item was passed over.

E-2431 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain electric transmission lines in Lancaster County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting authority. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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NATURAL GAS DEPARTMENT (Cont.)

Scott Coburn reported a total number of 7 consumer complaints and inquiries were received at the Commission during May, 2017. For each company: Black Hills Energy - 3; Black Hills Distribution - 2; NorthWestern - 0; and Other Entities - 2.

TRANSPORTATION DEPARTMENT

B-1805 In the Matter of Millard Plaza Party Bus, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in charter and special party between all points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their luggage is not authorized: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an order dismissing application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

B-1812 In the Matter of Haleel Medical Transportation, Omaha, seeking approval of a name change to Haleel Medical Transportation d/b/a Reliance Medical Transportation, LLC: Motion made by Commissioner Mary Ridder, seconded by Commissioner Frank Landis, to enter an order approving name change. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

B-1894, In the Matter of EZ Cabs, Inc., Sioux City, Iowa, seeking Supp. 1 to extend its authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxicab between points in Dakota, Dixon, Cedar, Thurston, Burt, Cuming and Wayne counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order dismissing application, at applicant's request. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

M-14227 In the Matter of the Application of Magnificent Movers, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between all points in Nebraska over irregular routes: Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to enter an order of pending dismissal. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

BR-532/ In the Matter of Papio Transport Service, Inc., Papillion,
B-1733 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 Mary Ridder, seconded by Commissioner
Frank Landis, to enter an order granting rates on an Emergency Basis.
Motion passed with Commissioners Rod Johnson, Frank Landis, Mary
Ridder, Crystal Rhoades and Tim Schram voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-2160 In the Matter of Central Valley Ag Cooperative, York,
Nebraska: John Fecht reported the grain warehouse license
was cancelled as of June 1, 2017.

GD-3019 In the Matter of the Application of Daniel Krafka,
Bellwood, Nebraska, seeking authority to operate as a grain
dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2009): Motion
made by Commissioner Rod Johnson, seconded by Commissioner Mary
Ridder, to enter an order granting application. Motion passed with
Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades
and Tim Schram voting AYE.

GD-2723 In the Matter of Wiles Brothers, Inc., Plattsmouth,
Nebraska: John Fecht reported the grain dealer license was
cancelled as of May 19, 2017.

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 the Deputy Director's
recommendation to approve Commission invoices. Motion passed with
Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades
and Tim Schram voting AYE.

Representatives from NorthWestern Energy gave a
presentation, updating the Commission on their Natural Gas
Distribution Operation in Nebraska.

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The meeting adjourned at 11:57 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 June 13, 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 June 12, 2017.



Chairman



Deputy Director