

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

January 9, 2018

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Notice was duly published January 2, 2018 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 January 9, 2018 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. Chair 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.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to elect Commissioner Mary Ridder as the Commission Chair. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Mary Ridder present not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to elect Commissioner Rod Johnson as the Commission Vice Chair. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson present not voting.

Attention was called to the following proceedings:

Tuesday, January 9, 2018:

1:30 Commission Hearing Room, Lincoln
PI-204 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate certain procedures of certificated passenger carriers in the State of Nebraska. Commissioner Tim Schram presiding as Hearing Officer.

Wednesday, January 17, 2018:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

1:30 Commission Hearing Room, Lincoln
NG-0093 In the Matter of Black Hills Energy/Nebraska Gas Utility, LLC, d/b/a Black Hills Energy, Papillion, Nebraska, seeking Approval of Certain Accounting and Regulatory Treatment of a Regulatory Asset Comprised of Increased Location Costs due to a Fiber Optics Project in Lincoln, Nebraska, and other specified relief. Commissioner Frank Landis presiding as Hearing Officer.

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COMMUNICATIONS DEPARTMENT

- C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an Order regarding submission of full applications and revising Grant Schedule. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.
- C-4904 In the Matter of the Application of Minette Malm, Marquette, seeking authority to receive advanced telecommunications service from the Marquette Exchange of Hamilton Telephone Company: Motion made by Commissioner Frank Landis, 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.
- C-4951 In the Matter of the Application of Lori Barr, Liberty, Nebraska, seeking authority to receive advanced telecommunications service from the Oketo, Kansas Exchange of Blue Valley Telecommunications: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.
- C-4956 In the Matter of the Application of Herman Bohlken, Wymore, Nebraska, seeking authority to receive advanced telecommunications service from the Oketo, Kansas Exchange of Blue Valley Telecommunications: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.
- C-4959 In the Matter of the Application of Todd Bollig, Clarks, seeking authority to receive advanced telecommunications service from the Hordville Exchange of Hamilton Telephone Company: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.
- AD-648 In the Matter of the Application of TPUSA-FHCS, Inc., Dallas, Texas seeking authority to connect an automatic dialing-announcing device: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #7 to establish guidelines for administration of the Nebraska
Universal Service Fund: Action Communications, Inc. Cullen
Robbins discussed the deviation in remittance audit language,
requesting Commission approval to accept the Agreed Upon Procedure
language as presented. Motion made by Commissioner Frank Landis,
seconded by Commissioner Rod Johnson to accept the language as
presented. Motion passed with Commissioners Rod Johnson, Frank Landis,
Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #7 to establish guidelines for administration of the Nebraska
Universal Service Fund: Motion made by Commissioner Tim
Schram, seconded by Commissioner Frank Landis, to grant audit
extension requests for DCT Telecom to March 15, 2018, for the 2014
remittance audit and, for Selectel Wireless to February 15, 2018, for
the 2016 remittance audit. Motion passed with Commissioners Rod
Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram
voting AYE.

NUSF- In the Matter of Cullen Robbins, Director of the
37.354 Nebraska Universal Service Fund Department of the Nebraska
Public Service Commission, Complainant, v. Marco
Technologies, LLC, Respondent: 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.

NUSF- In the Matter of Cullen Robbins, Director of the
37.355 Nebraska Universal Service Fund Department of the Nebraska
Public Service Commission, Complainant, v. Iowa Network
Services, Inc., Respondent: Motion made by Commissioner Tim Schram,
seconded by Commissioner Frank Landis, to enter an Order dismissing
the complaint. Motion passed with Commissioners Rod Johnson, Frank
Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Cullen Robbins discussed NUSF Late-Filed Carrier
Remittances: Motion made by Commissioner Frank Landis, seconded by
Commissioner Tim Schram that a one-time waiver be issued to Tracfone
Wireless, Inc., for the previously levied late-fee for the August,
2017, data period, due to Florida hurricanes. 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 informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month.

Outages for December 2017									
Outage Number	Telephone Company	Affected Area	Outage Date	Completion Date	Duration	Number of Access Lines	Cause Primary	Cause Secondary	Comments
17-42	CenturyLink QC	Elkhorn	Dec-02-17	Dec-02-17	0 d 6 h	690	Cable Cut		Damaged by animals - technicians replaced and spliced fiber.
17-43	Great Plains Communications, Inc.	Mirage Flats & Hay Springs	Dec-03-17	Dec-03-17	0 d 2 h	354	Equipment		Line Card failure
17-44	CenturyLink QC	Omaha	Dec-05-17	Dec-08-17	3 d 4 h	733	Damaged Cable	Vandalism	2400 pair cable was spliced to restore all customers to service.
17-45	Cox Nebraska Telcom, LLC	Omaha	Dec-07-17	Dec-07-17	0 d 3 h	43000	Other		Firewall update
17-47	Windstream Nebraska, Inc.	Hickman	Dec-07-17	Dec-08-17	0 d 5 h	248	Other		Water was in the fiber splice case that froze causing the giber to go open.
17-48	CenturyLink QC	Alliance	Dec-12-17	Dec-12-17	0 d 6 h	152	Cable Cut		Cable was cut by a road crew with a roadgrader. No locates were requested. Caused by the Department of Roads (contractor working for them). Contractor or NDOR failed to refresh the locates before digging.
17-49	Cox Nebraska Telcom, LLC	Omaha	Dec-14-17	Dec-14-17	0 d 1 h	3200	Equipment		Network changes impacted ALU Circuits
17-50	Northeast Nebraska Telephone Company	Bartlett	Dec-17-17	Dec-18-17	0 d 14 h	300	Cable Cut		Dirt work was done in private right of way & cut fiber optic cable - crew restored.
17-51	CenturyLink QC	Omaha	Dec-21-17	Dec-23-17	2 d 5 h	875	Damaged Cable	Vandalism	Vandalism - Spliced in a new cable - This was the same area as the other five vandalisms

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1874 In the Matter of Yellow Cab Beatrice, Beatrice, seeking to Supp. 7 acquire, through transfer, the authority granted to B.J.Z. Inc. d/b/a Checker Cab, Norfolk, in Certificate B-1433: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an Order dismissing the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

- M-14120 In the Matter of Kadec, Inc., dba Arne R. Hansen Van & Storage, Omaha, seeking to cancel its Certificate of Public Convenience and Necessity issued in Application No. M-14120;
- M-14121 In the Matter of Zoton, Inc., dba Holiday Van & Storage, Omaha, seeking to cancel its Certificate of Public Convenience and Necessity issued in Application No. M-14121; and
- M-14122 In the Matter of Safeway Moving & Storage, Inc., Omaha, seeking to cancel its Certificate of Public Convenience and Necessity issued in Application No. M-14122: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter Orders cancelling certificates issued in Application No. M-14120, M-14121, and M-14122. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

BR-540/
B-1948 In the Matter of Lift Medical Transportation, LLC, Omaha, 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 Tim Schram, 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.

BR-541/
B-1947 In the Matter of Rockstar Transportation, Omaha, 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 Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order Nunc Pro Tunc. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-19 In the Matter of the application of J. E. Meuret Grain Co., Inc., Brunswick, Nebraska, requesting a \$25,000 deductible on its stock insurance. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting authority to increase its insurance deductible. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

GENERAL ADMINISTRATION

Chair Ridder invited the public to address the Commission. No public comments were received.

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GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the 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.

Cost Quest Associates	\$	5,000.00
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The following invoices were paid between December 19, 2017 and January 8, 2018 and should be ratified:

Crystal Rhoades	\$	296.95
Crystal Rhoades		25.86
Tim Schram		654.84

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Commissioners Crystal Rhoades and Tim Schram to travel to and attend the Winter Policy Summit hosted by the National Association of Regulatory Utility Commissioners (NARUC), to be held in February 2018, with all expenses to be paid by the Commission. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades present not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Shana Knutson and Cullen Robbins to travel to and attend the Winter Policy Summit hosted by the National Association of Regulatory Utility Commissioners (NARUC), to be held in February 2018, with all expenses to be paid by the Commission. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades present not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to authorize Housing and Recreational Vehicle Department staff to travel to and perform inspections at any modular housing plant in Kansas, Iowa or South Dakota, at any time in calendar year 2018, so long as all expenses will be reimbursed to the Commission by the plant. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades present not voting.

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GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to modify the December 19, 2017 approval of Kirk Weber's travel to Custom Touch Homes in Madison, South Dakota, to reflect that all expenses, including time, will be reimbursed to the Commission by Custom Touch Homes. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades present not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to ratify the Schedule of Fees. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to approve the Executive Director's recommendation to adopt the revised Employee Manual. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to adopt the Travel and Expense Manual. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

The meeting adjourned at 10:35 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 January 17, 2018 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 16, 2018.



Chair



Executive Director