

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

January 17, 2018

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Notice was duly published January 9, 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 February 17, 2018 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, and Tim Schram present and Commissioner Frank Landis excused. Chair Ridder 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:

Wednesday, January 17, 2018:

11:00 Commission Hearing Room
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. Commissioner Frank Landis presiding as Hearing Officer.

Friday, January 19, 2018:

1:30 Commission Hearing Room, Lincoln
Telecommunications Relay Service Advisory Committee Meeting

Monday, January 22, 2018:

10:00 Commission Hearing Room, Lincoln
E911 Advisory Board Meeting

Tuesday, January 23, 2018:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

11:00 Commission Hearing Room, Lincoln
C-4958 In the Matter of the Application of Birch Communications, Inc., Atlanta, Georgia, seeking authority to operate as a local exchange and interexchange carrier of telecommunication services within the State of Nebraska. Commissioner Tim Schram presiding as Hearing Officer.

1:30 Commission Hearing Room, Lincoln
B-1953 In the Matter of Dignity Non-Emergency Medical Transportation, Inc., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in open class in Antelope, Boone, Burt, Butler, Cass, Cedar, Clay, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Hall, Hamilton, Jefferson, Johnson, Lancaster, Madison, Merrick, Nance, Nemaha, Otoe, Pawnee, Pierce, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, and York Counties. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. Commissioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4952 In the Matter of the Application of Citizens Telecommunications Company of Nebraska for a determination that Neb. Code, Title 291, Chapter 1, §019.91 et seq.; Title 291, Chap. 5, §002.22A and §010.09; 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 publication: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order setting a hearing for February 6, 2018, at 11:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

C-4957 In the Matter of the Joint Application of BCHI Holdings, LLC, Birch Communications, Inc., Fusion Telecommunications International, Inc., and Network Billing Systems, LLC, Atlanta, Georgia, for Consent to a Transaction that will result in a Material Change to the Ownership and Control of Network Billing Systems, LLC, and for Approval to Participate in New Financing Arrangements: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

NUSF-1, In the Matter of the Commission, on its own Motion,
PO #7 seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to grant an audit extension request to March 31, 2018, for Pinpoint Wireless, Inc., for the 2015 remittance audit that was due December 31, 2017. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

NUSF-110 In the Matter of the Nebraska Public Service Commission, on its own Motion, to determine whether to discontinue ported support for grandfathered lines: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order discontinuing ported support. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

NEBRASKA 911 DEPARTMENT

911-042.09 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: City of McCook;

911-042.24 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: Fillmore County; and

911-042.71 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: Saunders County: Motion made by Commissioner Rod Johnson,

seconded by Commissioner Crystal Rhoades, to enter orders in Dockets 911-042.09, 911-042.24 and 911-042.71, approving funding requests. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

911-042.70 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: EDS 911: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order approving funding request. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

911-058/
PI-188 In the Matter of the Commission, on its own motion, seeking to conduct a study to examine issues surrounding the statewide implementation of next-generation 911 funded through the Enhanced Wireless 911 Fund as required by LB 595 [2013]: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter an Order closing the docket. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

NEBRASKA 911 DEPARTMENT (Cont.)

Matt Effken discussed the E-911 Late-Filed Remittance Worksheets: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to open a Complaint against Flash Wireless, LLC. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

NATURAL GAS DEPARTMENT

NG-0078.4 In the Matter of the Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy for an order authorizing it to increase the Safety and Integrity Charges (2018). Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

NG-0013 In the Matter of the Commission, on its own motion, to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act [LB 790, 2003]. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter Progression Order No. 58. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

OP-0003 In the Matter of the Application of TransCanada Keystone Pipeline, L.P., Calgary, Alberta, seeking approval for Route Approval of the Keystone XL Pipeline Project Pursuant to the Major Oil Pipeline Siting Act: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Assessment Order PSC.4. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

Nichole Mulcahy reported a total number of 4 consumer complaints and inquiries received at the Commission during December 2017. For each company: Black Hills Energy - 2; Black Hills Distribution - 0; and NorthWestern - 1; and Other Entities - 1.

LEGISLATIVE

Nichole Mulcahy discussed pending legislation and recommended that the Commission take the following action.

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LEGISLATIVE (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to offer neutral testimony on LB 707. Motion passed with Commissioners Rod Johnson, Mary Ridder and Tim Schram voting AYE, Commissioner Crystal Rhoades voting NAY, and Commissioner Frank Landis excused not voting.

GENERAL ADMINISTRATION

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

Rod Johnson \$ 1,078.77

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve the 2018 hourly rates for the contract with Christensen Associates Energy Consulting. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis excused not voting.

The meeting adjourned at 10:26 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, and Tim Schram present and Commissioner Frank Landis excused. The next regularly scheduled meeting will be held on January 23, 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 22, 2018:

Mary Ridder
Chair

Michael H. Johnson
Executive Director