

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

April 3, 2018

Page 9923

Notice was duly published March 27, 2018 on Page 3 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on April 3, 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 10:01 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram present. 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:

Tuesday, April 10, 2018:

10:00 Commission Hearing Room, Lincoln  
Commission Meeting

11:00 Commission Hearing Room, Lincoln  
Rule and In the Matter of the Nebraska Public Service Commission, on  
Regulation its own motion, seeking to amend Title 291, Chapter 3,  
#199 Motor Carrier Rules and Regulations, to amend provisions of  
the rules: Commissioner Tim Schram presiding as Hearing  
Officer.

1:30 Commission Hearing Room, Lincoln  
PI-212 In the Matter of the Nebraska Public Service Commission, on  
Workshop its own motion, seeking to determine the necessity of  
additional classifications of passenger carriers to  
accommodate current and future carriers in the market.

COMMUNICATIONS DEPARTMENT

C-4459/ In the Matter of the Nebraska Public Service Commission, on  
PI-185 its own motion, to investigate and monitor compliance with  
federally mandated intercarrier compensation reform: Motion  
made by Commissioner Frank Landis, seconded by Commissioner Rod  
Johnson, to enter an Order. Motion passed with Commissioners Rod  
Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram  
voting AYE.

AD-654r In the Matter of the Application of Echo 19, LLC, d/b/a  
Echo Research, Washington D.C., seeking authority to  
register the connection of 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.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

April 3, 2018  
Page 9924

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: Lattice, Inc. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to grant an audit extension request to file the 2016 NUSF remittance audit to June 30, 2018, originally due on or before December 31, 2017. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NUSF-37.351 In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Public Service Commission, Complainant, v. Business Plus, Inc., Respondent(s). Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order dismissing 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 Tim Schram, seconded by Commissioner Frank Landis, that a Complaint be opened against Patriot Mobile LLC f/k/a EOS, and that late-fees be levied against BCM One, Inc., Consolidated Telco, Inc., Eagle Communications, Inc., First Communications, LLC, West Telecom Services f/k/a Hypercube, and Ready Wireless. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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

| Outages for March 2018 |                                   |                         |             |                 |          |                       |               |                 |  |
|------------------------|-----------------------------------|-------------------------|-------------|-----------------|----------|-----------------------|---------------|-----------------|--|
| Outage Number          | Telephone Company                 | Affected Area           | Outage Date | Completion Date | Duration | Number of Access Lins | Cause Primary | Cause Secondary | Comments (ABBR)  |
| 17-65                  | Dalton Telephone Company, Inc.    | Dalton                  | Mar-11-18   | Mar-11-18       | 0 d 2 h  | 617                   | Equipment     |                 | Customers reported service issues - resolved by moving to secondary processor in the voice switch. May have affected all 617 customers   |
| 17-66                  | Rock County Telephone Company     | Rock County             | Mar-15-18   | Mar-15-18       | 0 d 4 h  | 385                   | Equipment     |                 | Planned maintenance for a fiber move affected trunking to the Bassett Co. which affected portions of Rock County. This was an unexpected issue related to the fiber move. Wrong Fibers were cut. |
| 17-67                  | Blair Telephone Company           | Blair dialing to Herman | Mar-15-18   | Mar-15-18       | 0 d 6 h  | 4063                  | Equipment     |                 | EAS Trunk from Blair to Herman was down during maintenance. Wrong Fibers cut.  |
| 17-68                  | Cox Nebraska Telcom, LLC          | Omaha                   | Mar-16-18   | Mar-16-18       | 0 d 1 h  | 194                   | Equipment     |                 | Receiver failed on "A" side of Node - Receiver was replaced  |
| 17-69                  | CenturyLink QC                    | Grand Island            | Mar-23-18   | Mar-24-18       | 1 d 4 h  | 170                   | Equipment     |                 | A portion of Grand Island switch is not processing calls. Field Operations repaired the copper cable. Human Error - Public   |
| 17-70                  | Benkelman Telephone Company, Inc. | Benkelman               | Mar-08-18   | Mar-08-18       | 0 d 2 h  | 400                   | Equipment     |                 | While doing upgrades to the switch, customers on fiber lost service from 5:45 to 7:15.   |

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

## TRANSPORTATION DEPARTMENT

MCC-3196 In the Matter of Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant v. Alpha Life Improvement Services; Big O's Party Bus; Black Tie Limousine, Inc.; Emerald Limousine, Inc.; Good Times Roll GI; Heartland Party Bus; Jason's Limousine Service; Limousine Services, LLC; Midwest Party Bus; Nebraska Taxi, LLC; Chet's Transfer, Inc.; Ford Storage & Moving Co.; Freight Train Express, LLC; Mid-America Relocation, Inc.; Middle West Movers; Monroe Moving; Murphy Moving, Inc.; Red Carpet Moving, LLC; Shasteen Transfer and Storage; Transfer 88; and Liberty Mobility Now, Inc., Respondents. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, 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.

B-1965 In the Matter of Good Times, LLC, Humphrey, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party and charter between all points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Crystal Rhoades, 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.

## GRAIN WAREHOUSE DEPARTMENT

GW-2127 In the Matter of The Scoular Company, Venango, Nebraska, seeking cancellation of a warehouse receipt. Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to cancel warehouse receipt B692168. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades, and Tim Schram voting AYE.

GW-2148 In the Matter of The Scoular Company, Fremont, Nebraska: John Fecht reported on shortage of organic corn.

GD-405 In the Matter of the Application of Farmers Co-operative, Pilger, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2016). Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, 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.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

April 3, 2018

Page 9926

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GD-926 In the Matter of the Application of Farmers Cooperative Company, Talmage, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2016). Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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.

GD-2841 In the Matter of the Application of Ag Navigator, LLC, Bertrand, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2016). Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order dismissing grain dealer application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades, and Tim Schram voting AYE.

GD-3027 In the Matter of Green Plains Grain Cooperative, Omaha, Nebraska: John Fecht reported that the grain dealer license was cancelled as of March 23, 2018.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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.

|                 |    |        |
|-----------------|----|--------|
| Mary Ridder     | \$ | 924.32 |
| Crystal Rhoades |    | 484.00 |
| Tim Schram      |    | 704.14 |

Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to approve the Executive Director's recommendation to authorize Mark Luttich to travel to and attend the Nebraska Manufactured Home Association's Annual Meeting in Council Bluffs, Iowa, on May 10, 2018, 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 Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Mark Luttich to travel to and attend the United States Department of Housing and Urban Development's (HUD's) SAA/PIA Western and Midwestern Regional Meeting in St. Louis, MO from June 18, 2018 through June 21, 2018, with all expenses to be paid by HUD. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades present not voting.

April 3, 2018

Page 9927

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The meeting adjourned at 10:33 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 10, 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 April 9, 2018.

  
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Chair

  
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Executive Director