

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

February 5, 2019

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Notice was duly published January 29, 2019 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 February 5, 2019 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, Tim Schram and Dan Watermeier 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, February 5, 2019:

11:00 Commission Hearing Room, Lincoln  
C-5009/ In the Matter of the Application of AMG Technology  
NUSF-114 Investment Group, LLC, d/b/a NextLink Internet, Hudson  
Oaks, Texas, seeking designation as an Eligible  
Telecommunications Carrier (ETC) for the purpose of  
providing services supported by the FCC's Connect America  
Fund Phase II. Commissioner Mary Ridder presiding as  
Hearing Officer.

Wednesday, February 6, 2019:

9:00 Commission Hearing Room, Lincoln  
C-5012/ In the Matter of the Application of a Petition of Inventive  
NUSF-115 Wireless of Nebraska, LLC d/b/a Vistabeam, Gering,  
Nebraska, for designation as an Eligible Telecommunications  
Carrier (ETC). Commissioner Mary Ridder presiding as  
Hearing Officer.

Wednesday, February 20, 2019:

10:00 Commission Hearing Room, Lincoln  
Commission Meeting

11:00 Commission Hearing Room, Lincoln  
M-14224 In the Matter of the Nebraska Public Service Commission, on  
its own motion, to require Daniel's Moving and Storage of  
Omaha, LLC, Omaha, to show cause why the Commission should  
not revoke its Certificate of Public Convenience and  
Necessity. Commissioner Rod Johnson presiding as Hearing  
Officer.

M-14235 In the Matter of the Nebraska Public Service Commission, on  
its own motion, to require Red Carpet Moving, LLC, Omaha,  
to show cause why its Certificate of Public Convenience and  
Necessity should not be revoked. Commissioner Crystal  
Rhoades presiding as Hearing Officer.

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COMMUNICATIONS DEPARTMENT

C-5032 In the Matter of the Commission, on its own motion, to determine the surcharge for the statewide Telecommunications Relay System to be effective July 1, 2019: Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order opening docket and setting hearing for March 26, 2019, at 11:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5037/  
PI-223 In the Matter of the Commission, on its own motion, to investigate the level of service quality provided by United Telephone Company of the West d/b/a CenturyLink Communications in the Oshkosh, Lewellen and Chappell Telephone Exchanges: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order opening investigation. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins informed the Commission that a request was received from Hamilton Telephone Company on January 22, 2019, to override the denial by the Pooling Administrator for 1 thousands block of telephone numbers in the Hordville rate center: Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to approve sending a letter to the Pooling Administrator. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF- In the Matter of Cullen Robbins, Director, Nebraska  
37.367 Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Dalton Telecommunications, Inc., Respondent: Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order dismissing the Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-108, In the Matter of the Nebraska Public Service Commission,  
PO4 on its own motion, to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements. Commissioner Mary Ridder presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order requesting further comments, due on or before March 7, 2019. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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 January 2019 |               |             |                 |          |                        |               |   |
|--------------------------|---------------|-------------|-----------------|----------|------------------------|---------------|---|
| Telephone Company        | Affected Area | Outage Date | Completion Date | Duration | Number of Access Lines | Cause Primary | Comments  |
| Qwest Corporation        | Grand Island  | Jan-31-19   | Jan-31-19       | 0 d 4 h  | 164                    | Cable Cut     | Lacy Electric cut cable. Locates were requested, but USIC failed to locate the cable that was cut |

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to support LB 268 and provide testimony. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to oppose LB 550 and provide testimony. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to oppose LB 617 and provide testimony. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to support the amended LB 641 and provide testimony. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder voting NAY.

Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to support LB 693 and provide testimony. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to oppose LB 461 and provide testimony. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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TRANSPORTATION DEPARTMENT

DR-0009/ B-1829 In the Matter of the Petition for Declaratory Ruling of Golden Plains Services, Inc. d/b/a GPS Transportation, Lincoln, seeking determination that Neb.Admin.Code, Title 291, Chap. 3, §001.01(E) and §001.01(F) permit on-demand transportation services for open class carriers that were engaging in on-demand transportation services prior to changes approved in Rule and Regulation Docket No. 199 effective January 16, 2019; search all open class carriers for any and all carriers that have provided on-demand services and would be adversely affected by the rule changes approved in Rule and Regulation Docket No. 199; investigate and schedule a hearing on the effect on carriers of any service classification regarding the observation of precedent; and define the criteria for observing precedent when a change is made to rules and regulations: Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order denying stay. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-852 In the Matter of the Application of Country Partners Cooperative, Gothenburg, Nebraska, requesting a \$25,000 deductible on its stock insurance: Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

GW-2183 In the Matter of Crofton Elevator, Inc., Crofton, Nebraska, seeking cancellation of warehouse receipts: Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to cancel warehouse receipts B-693106 through B-693200. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

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, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades present not voting.

|                |    |        |
|----------------|----|--------|
| Tim Schram     | \$ | 709.92 |
| Dan Watermeier |    | 473.28 |

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve offering an Intent to Award the contract for Next Generation 911 Technical Consulting Services to Mission Critical Partners, Inc. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

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The meeting adjourned at 10:45 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on February 20, 2019 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on February 19, 2019.

  
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Chair

  
\_\_\_\_\_  
Executive Director