

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 11, 2022

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Notice was duly published January 4, 2022 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 11, 2022 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Dan Watermeier called the regularly scheduled meeting to order at 10:00 AM. with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier present in the Commission Hearing Room and Commissioner Crystal Rhoades present via Webex. Chair Watermeier 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 Mary Ridder, seconded by Commissioner Tim Schram to name Commissioner Dan Watermeier as Commission Chair. 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 Tim Schram, seconded by Commissioner Rod Johnson to name Commissioner Mary Ridder as Commission Vice Chair. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder present not voting.

Attention was called to the following proceedings:

Wednesday, January 19, 2022:

Commission Meeting

10:00 AM, Commission Hearing Room and Webex

Quarterly Status Meeting

NG-101.2/PI-224 NorthWestern Energy

2:00 PM, Commission Hearing Room and Webex

Hearing Officer: Commissioner Rod Johnson

COMMUNICATIONS DEPARTMENT

C-5357: In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an FCC Modernizing Unbundling and Resale Requirements Amendment to its Interconnection Agreement with Clear Rate Communications, Inc., Troy, Michigan; and

C-5358: In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an Unbundled Network Elements Resale Forbearance Amendment to its Interconnection Agreement with Clear Rate Communications, Inc., Troy, Michigan. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder,

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to enter Orders approving applications C-5357 and C-5358. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-1, PO #6: In the Matter of the Commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Dalton Telephone Company, LLC. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to grant Dalton Telephone's extension request to March 1, 2022, for the NUSF Payment audit, otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-1, PO #6: In the Matter of the Commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Elsie Communications, LLC. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to grant Elsie Communication's extension request to March 1, 2022, for the NUSF Payment audit, otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-1, PO #7: In the Matter of the Commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Vonage America, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to grant Vonage America's extension request to March 31, 2022, for the 2018 NUSF Remittance audit, otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins informed the Commission that a Hearing Officer's Order was entered in Docket NUSF-108, PO #7, setting a hearing on February 1, 2022, at 1:30 p.m., Commission Hearing Room and WebEx.

Cullen Robbins discussed the notification received from T-Mobile that they will no longer provide internet-based captioned telephone service (IP-CTS) beginning January 1, 2022.

NATURAL GAS DEPARTMENT

NG-111.3: In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking to modify its tariff due to the February 2021 cold weather event, and implement a conversion fee for commercial sales customers who convert to transportation service; and

NG-112.1: In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a 2022 System Safety and Integrity Rider. Motion made by Commissioner Rod

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Johnson, seconded by Commissioner Tim Schram, to enter assessment orders NG-111.3/BA-21 and NG-112.1/BA-11. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Nichole Mulcahy reported a total number of 12 consumer complaints and inquiries received at the Commission during the fourth quarter of 2021. For each company: Black Hills Energy - 7; NorthWestern - 2; Public Alliance (ACE) - 1 and Other Entities - 2.

NG-101.1: In the Matter of the Commission, on its own motion, opening an investigatory docket for the purpose of general monitoring of issues regarding the natural gas industry and jurisdictional utilities in Nebraska. Black Hills/Nebraska Gas Utility Company, LLC, and Black Hills Gas Distribution, LLC, d/b/a Black Hills Energy. Nichole Mulcahy informed the Commission of the next status meeting on January 26, 2022, at 2:00p.m. in the Commission Hearing Room and via Webex.

NG-101.2: In the Matter of the Commission, on its own motion, opening an investigatory docket for the purpose of general monitoring of issues regarding the natural gas industry and jurisdictional utilities in Nebraska. NorthWestern Corporation d/b/a NorthWestern Energy. Nichole Mulcahy informed the Commission of the next status meeting on January 19, 2022, at 2:00p.m. in the Commission Hearing Room and via Webex.

LEGISLATIVE

Jamie Reyes discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1997: In the Matter of the Application of Richwood Enterprises d/b/a Richwood Transport, Fremont, seeking to acquire, through transfer and sale, the authority held by Fremont Cab Service, LLC, Fremont, in Certificate No. B-1702. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order of pending dismissal. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2018.02: In the Matter of the Application of Compassion Care Senior Services, LLC d/b/a Compassion Care Medical Transport, Omaha, seeking authority to add HHS Designation to its existing transportation authority providing transportation to passengers by sedan, van, and SUV in open class service between points in Lancaster and Saunders counties, and between said counties, over irregular routes. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting extension of authority. Motion passed with

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Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2039: In the Matter of the Application of The Amazing Party Bus, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party service between all points in Nebraska over irregular routes. HHS Designation: No. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2043: In the Matter of the Application of Flatland Rentals, LLC, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in limousine and special party service between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: No. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

MT-0001.02: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to address certain carriers in non-compliance with annual. 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, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

The meeting adjourned at 10:20 AM with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier present in the Commission Hearing Room and Commissioner Crystal Rhoades present via Webex. The next regularly scheduled meeting will be held on January 19, 2022 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on January 18, 2022.



Chair



Executive Director