

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

March 15, 2022

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Notice was duly published March 8, 2022 on page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on March 15, 2022 at 10:00 a.m. 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 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present in the Commission Hearing Room. 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.

Chair Watermeier welcomed Thomas Lawson to his new position as Administrative Assistant in the Grain Department.

Attention was called to the following proceedings:

Tuesday, March 15, 2022:

11:00 a.m., **Hearing**, C-5360, TRS Surcharge
Hearing Office: Commissioner Tim Schram

Tuesday, March 22, 2022:

9:30 a.m., **Hearing**, C-5368, Nebraska Broadband Bridge Act 2022
Hearing Officer: Commissioner Tim Schram

Tuesday, March 29, 2022:

10:00 a.m., **Commission Meeting**

1:30 p.m., **Workshop**, NUSF-131, Reverse Auction Requirements
Hearing Officer: Commissioner Mary Ridder

COMMUNICATIONS DEPARTMENT

C-5373: In the Matter of the Application of Public Communications Services, Inc., Falls Church, Virginia, seeking authority to add the trade name ViaPath Technologies. 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.

C-5374: In the Matter of the Application of Value-Added Communications, Inc., Falls Church, Virginia, seeking authority to withdraw its interexchange certificate of authority and cancel its tariff. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting withdrawal. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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AD-705: In the Matter of the Application of University of Maryland Global Campus, Adelphi, Maryland, seeking authority to connect an automatic dialing-announcing device in Santa Clara, California; and

AD-706: In the Matter of the Application of University of Maryland Global Campus, Adelphi, Maryland, seeking authority to connect an automatic dialing-announcing device in Atlanta, Georgia. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders granting applications AD-705 and AD-706. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

AD-707r: In the Matter of the Application of WAB Holdings, LLC, Strongsville, Ohio, seeking authority to register the connection of an automatic dialing-announcing device. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

AD-708: In the Matter of the Application of Voice Broadcasting, Arlington, Texas, seeking authority to connect an automatic dialing-announcing device. 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.

NUSF-99, PO #2: In the Matter of the Nebraska Public Service Commission, on its own Motion, to Administer the Universal Service Fund High-Cost Program. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order denying Motion for Partial Reconsideration. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

NUSF-108, PO #7: 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. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order clarifying NUSF-EARN form reporting, moving due date to July 31st of each year. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

NUSF-133: In the Matter of the Nebraska Public Service Commission, on its own Motion, to implement standards for the verification of broadband service provider coverage and speed data. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order opening docket and seeking comments, due on or before April 15, 2022. Reply comments will be due on or before May 4, 2022. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Garmin Services, Inc. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to waive all NUSF late-fees for Garmin Services, Inc. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

STATE 911 DEPARTMENT

911-042.04: 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: Knox County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an Order Approving Funding. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.14: 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 Holdrege. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder to enter an Order Approving Funding. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.47: 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: Custer County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an Order Approving Funding. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

E-2497: In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain electric transmission lines in Lancaster County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

LEGISLATIVE

Jamie Reyes discussed pending legislation.

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TRANSPORTATION DEPARTMENT

B-2006.01: In the Matter of the Application of My Princess' Limo Services, LLC, Madison, seeking suspension of its Certificate of Public Convenience and Necessity issued in Docket B-2006 until May 23, 2023. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting suspension. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

ML-54: In the Matter of the Application of Sebastian Moving Omaha, LLC, Omaha, seeking a license to provide household goods moving services in Nebraska intrastate commerce between all points in Nebraska over irregular routes. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting license. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1250.01r: In the Matter of Omaha Ambulance Service, Inc, 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 Mary Ridder, to enter an Order granting rates in part on an emergency basis and denying in part. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1733.01r: In the Matter of the Application of Papio Transport Service, Inc., Papillion, 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 Mary Ridder, to enter an Order granting rates on an emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1817.01r: In the Matter of the Application of Medics At Home, Inc., 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 rates in part on an emergency basis and denying in part. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-2184: In the Matter of the Application of The Andersons, Inc. Maumee, OH, requesting a \$250,000 deductible on its stock insurance. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

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GDC-446: In the Matter of Terri Fritz, Grain Program Manager, Grain Warehouse Department, Nebraska Public Service Commission, COMPLAINANT, v. Banghart Properties, LLC, a.k.a Fearless Grain Marketing Storage and Arbitrage, a.k.a Fearless Grain Marketing, a.k.a Fearless Grain, Gettysburg, South Dakota, RESPONDENT. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram to enter an order assessing civil penalties. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

Executive Director's recommendation to authorize Terri Fritz to travel to and attend the National Grain & Feed Association Trade Rules Seminar in Kansas City, MO, from May 2, 2022 through May 5, 2022, with all expenses to be paid by the Commission. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades present not voting.

The meeting adjourned at 10:30 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 March 29, 2022 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 28, 2022.



Chair



Executive Director