

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

March 29, 2022

Page 1

Notice was duly published April 5, 2022 on page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on April 12, 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. No announcements were made.

Attention was called to the following proceedings:

Tuesday, March 29, 2022:

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

Monday, April 4, 2022:

10:00 a.m., **Hearing**, B-2024, Families and Connections Transporting Services, LLC, Omaha
Hearing Officer: Commissioner Tim Schram

Tuesday, April 12, 2022:

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

11:00 a.m., **Hearing**, MCC-3196.04, Annual Renewal Complaint
Hearing Officer: Commissioner Dan Watermeier

COMMUNICATIONS DEPARTMENT

C-5370: In the Matter of the Application of Allo Communications, LLC, Lincoln, Nebraska, seeking authority to obtain debt financing. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

C-5180: In the Matter of the Application of Fusion Communications, LLC, Atlanta, Georgia, seeking authority to provide competitive local exchange and interexchange telecommunications services within the State of Nebraska. Motion made by Commissioner Tim Schram, 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.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

March 29, 2022

Page 2

AD-709r: In the Matter of the Application of Smartcall Media, Inc., Truckee, California, seeking authority to register the connection of an automatic dialing-announcing device in Los Angeles, California. to enter an Order granting application; and

AD-710r: In the Matter of the Application of Smartcall Media, Inc., Truckee, California, seeking authority to register the connection of an automatic dialing-announcing device in New York, New York. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter Orders granting applications AD-709r and AD-710r. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

AD-711: In the Matter of the Application of TCN, Inc., St. George, Utah, seeking authority to connect an automatic dialing-announcing device. Motion made by Commissioner Rod Johnson, 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.

AD-712r: In the Matter of the Application of FLS Connect, LLC, St. Paul, Minnesota, 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, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5372: In the Matter of the Application of Elsie Communications, LLC, Elsie, Nebraska, seeking approval of a Wireless Traffic Exchange Agreement with New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility, Bedminster, New Jersey. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5375: 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 dishNET Wireline, LLC, Englewood, Colorado. to enter an Order approving application;

C-5376: 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 dishNET Wireline, LLC, Englewood, Colorado. to enter an Order approving application; and

C-5378: In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an LIS Facility PVU Amendment to its Interconnection Agreement with Level 3 Communications, LLC, Broomfield, Colorado. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter Orders

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

March 29, 2022

Page 3

approving applications C-5375, C-5376 and C-5378. 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 Nebraska Public Service Commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Google North America, Inc;

911-018: In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to establish audit requirements related to the Enhanced Wireless 911 Fund: Google North America, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to approve the 2nd extension request to June 30, 2022, for the NUSF and Wireless E-911 2018 audit reports, from Google North America, Inc., otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-57, PO #7: In the Matter of the Nebraska Public Service Commission, own Motion, seeking to administer the Nebraska Telehealth Program. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order establishing filing window. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-61.21: In the Matter of the Nebraska Public Service Commission, to review traffic studies to determine the appropriate percentage of assessable revenues subject to the Nebraska Universal Service Fund: New Cingular Wireless PCS LLC/Cricket Wireless, LLC, request for approval of Traffic Study. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order approving traffic study. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

STATE 911 DEPARTMENT

911-042.03: 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: Clay County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter an Order approving the use of set-aside funds for telecommunications headsets. 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. To enter an Order approving the use of set-aside funds for GIS mapping; and

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

March 29, 2022

Page 4

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 Orders approving the use of set-aside funds for telecommunicator training and software. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-060.47: 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 for text-to-911. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-018: In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to establish audit requirements related to the Enhanced Wireless 911 Fund: Google North America, Inc. A bifurcated Action Item for Google North America's request for an additional extension of time, was approved under the NUSF agenda. This matter was discussed.

NATURAL GAS DEPARTMENT

E-2498: In the Matter of the Application of Loup River Public Power District, Columbus, Nebraska, seeking authority to construct, operate and maintain an electric transmission line in Platte County; and

E-2499: 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 Mary Ridder, seconded by Commissioner Tim Schram to enter orders granting the applications. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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, LLC. Nichole Mulcahy informed the Commission of the next status meeting on April 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

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

March 29, 2022

Page 5

April 20, 2022, at 1:00p.m. in the Commission Hearing Room and via Webex.

LEGISLATIVE

Jamie Reyes discussed pending legislation.

TRANSPORTATION DEPARTMENT

MCC-3196.04: Dillon T. Keiffer-Johnson, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska COMPLAINANT, vs. 9 Line Medical Solutions, LLC; Big A Holdings d/b/a OMALiNK; Black Diamond S & S; Christopher M. Beerbohm; Davis Entertainment d/b/a Ollie The Trolley; Executive Coach, LLC; Kearney Cab Company; Lunjini Medical Transportation, LLC; Ronald D Allgood d/b/a Tree City Cab; Serving Nebraska Health Transportation; The Happy Bus, LLC; and Thomas Transportation RESPONDENTS. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, 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.

MR-1026: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to address the implementation of fuel surcharges by motor carriers providing intrastate passenger transportation services. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order establishing implementation standard. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1861.02r: In the Matter of the Application of Nebraska Metro Transportation, d/b/a Metro Sedan & Limousine Services, 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 on an emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2049.01r: In the Matter of the Application of Prescribe Transportation, LLC, 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 on an emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

March 29, 2022

Page 6

GRAIN WAREHOUSE DEPARTMENT

Schedule "A" and "E" Rates: In the matter of the Commission, on its own motion, seeking to determine reasonable A and E storage rates and charges for Public Grain Warehouses for the 2022-2023 storage year. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an order seeking comments and scheduling hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

GW-22: In the Matter of the Application of Ag Valley Cooperative, Non Stock, Edison, Nebraska, requesting a \$50,000 deductible on its stock insurance. Motion made by Commissioner Rod Johnson, 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.

GD-3050: In the Matter of the Application of World Food Processing, LLC dba PURIS, Oskaloosa, Iowa, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2018). 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.

GENERAL ADMINISTRATION

Executive Director's recommendation to authorize Christian Nielsen to travel to and attend the MidAmerica GIS Consortium (MAGIC) Symposium in Branson, MO, from April 10, 2022 through April 12, 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.

Executive Director's recommendation to enter into an Independent Contractor Agreement with Waldon Driewer, for the purposes of grain warehouse inspection, effective April 3, 2022. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

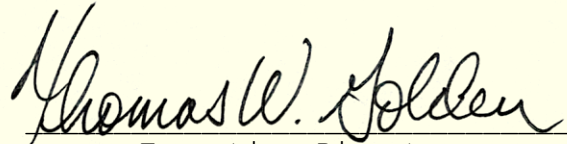
March 29, 2022

Page 7

The meeting adjourned at 10:37 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 April 12, 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 April 11, 2022.



Chair



Executive Director