

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

May 24, 2022

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Notice was duly published May 19, 2022, on page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on May 24, 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, Mary Ridder, Tim Schram and Dan Watermeier present in the Commission Hearing Room and Commissioner Rhoades absent. 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, April 26, 2022:

2:00 p.m., **Quarterly Status Meeting**, NG-101.1/PI-224, Black Hills Energy
Hearing Officer: Commissioner Rod Johnson

Monday, May 2, 2022:

10:00 a.m., **Oral Argument on Respondent's Motion for Reconsideration**, GDC-446, Grain Department v. Banghart Properties, LLC
Hearing Officer: Tim Schram

Tuesday, May 3, 2022:

10:00 a.m., **Oral Argument on Motion to Dismiss**, FC-1370, Platte Valley Financial Services Companies, Inc. v. United Telephone Company of the West d/b/a CenturyLink
Hearing Officer: Mary Ridder

1:30 p.m., **Hearing**, NUSF-4, NUSF Surcharge for FY 2022/2023
Hearing Officer: Commissioner Tim Schram

Tuesday, May 10, 2022:

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

11:00 a.m., **Hearing**, Schedule "A" and "E" Rates and Charges
Hearing Officer: Commissioner Tim Schram

COMMUNICATIONS DEPARTMENT

C-5386: In the Matter of the Application of Renee Coudeyras, Liberty, seeking authority to receive advanced telecommunications capability service from the North Summerfield Exchange of Blue Valley Telecommunications, Inc. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order granting

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application. Motion passed with Commissioners Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5387: In the Matter of the Application of NebraskaLink Holdings, LLC, Lincoln, Nebraska, seeking authority to add the trade name OPTK Networks. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, 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 excused not voting.

C-5388: In the Matter of the Application of NebraskaLink Holdings, LLC, d/b/a OPTK Networks, Lincoln, Nebraska, seeking authority to obtain debt financing. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, 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 excused not voting.

C-5389: In the Matter of the Application of Rock County Telephone Company, Blair, Nebraska, seeking authority to grant a security interest in Collateral Acquired Through Use of Proceeds from RUS Reconnect Award NE 1702-A65. Motion made by Commissioner Tim Schram, 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 excused not voting.

C-5392: In the Matter of the Application of Evan Winters, Ainsworth, seeking authority to receive advanced telecommunications capability service from the Johnstown Exchange of Three River Telco. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, 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 excused not voting.

C-5395/DC-100: In the Matter of Nebraska Public Service Commission Communications Department, on its own Motion, regarding the 2021 Annual Report filings. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order dismissing Complaint, in part. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

FC-1370: In the Matter of Platte Valley Financial Services Companies, Inc., Complainant v. United Telephone Company of the West d/b/a CenturyLink Nebraska; Respondents. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order denying motions to dismiss. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

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AD-714r: In the Matter of the Application of Echo 19 LLC, dba 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 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 excused not voting.

AD-715r: In the Matter of the Application of HubDialer LLC, Denver, Colorado, 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, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5390: In the Matter of the Application of Blair Telephone Company, Blair, Nebraska, seeking approval of an Interconnection Agreement with Level 3 Communications, LLC, Littleton, Colorado. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5393: In the Matter of the Application of Consolidated Telco, Inc., Lincoln, Nebraska, seeking approval of an Interconnection Agreement with Charter Fiberlink - Nebraska, LLC, St. Louis, Missouri. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

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: IDT America Corporation. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve IDT's extension request to July 1, 2022, to complete the NUSF remittance audit for 2018, otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

NUSF-4, PO #28: In the Matter of the Commission, on its own Motion, seeking to determine the level of the fund necessary to carry out the Nebraska Telecommunications Universal Service Fund Act beginning July 1, 2022. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order setting the surcharge for FY 2022/2023. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

NUSF-37.404: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service

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Commission, Complainant, v. Konica Minolta Business Solutions U.S.A., Inc., Respondent; and

NUSF-37.405: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Gabb Wireless, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders dismissing the complaints NUSF-37.404 and NUSF-37.405. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

STATE 911 DEPARTMENT

911-042.20: 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: Dawes County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder to enter an Order Approving the Use of Set-Aside Funds. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

911-042.52: 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: Cherry County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an Order Approving the Use of Set-Aside Funds. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

NATURAL GAS DEPARTMENT

NG-113/ PI-241: In the Matter of the Commission, on its own motion, seeking to investigate whether jurisdictional utilities should add a tariff provision addressing customer requests for voluntary removal or relocation of natural gas facilities. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order opening the docket, with comments due July 20, 2022, and setting the workshop for Wednesday, July 27, 2022, at 9:00 a.m. to Noon in the Commission Hearing Room and via Webex. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

NG-111.1: In the Matter of the Commission, on its own motion, seeking to investigate the effect of the February 2021 cold weather event upon the cost of gas supply purchased by Nebraska gas utilities. Black Hills Nebraska Gas, LLC; 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 Mary

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Ridder, seconded by Commissioner Tim Schram, to enter assessment orders NG-111.1/BA-22 and NG-112.1/BA-14. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

E-2502: In the Matter of the Application of Norris Public Power District, Beatrice, Nebraska, seeking authority to construct, operate and maintain electric transmission lines in Gage County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

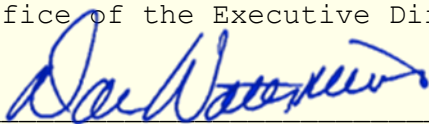
GENERAL ADMINISTRATION

Executive Director's recommendation to approve Nichole Mulcahy to travel to and attend the Financial Research Institute (FRI) Regulated Utilities Leadership Institute Program from June 6 through June 9, 2022, with all expenses to be paid by the Commission. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

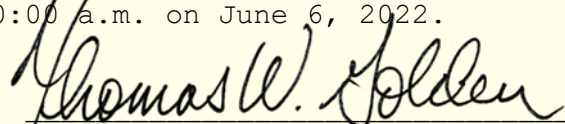
Executive Director's recommendation to approve Steve Stovall to travel to and attend the National Association for State Relay Administration (NASRA) Annual Conference from July 17 through July 20, 2022, with all expenses to be paid by the Commission. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

Executive Director's recommendation to approve Lenora Isom to travel to and attend the Housing and Urban Development (HUD) State Administrative Agency 2022 National Meeting from June 13 through June 17, 2022, with all expenses to be paid by HUD. 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 excused not voting.

The meeting adjourned at 10:32 a.m. with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier present and Commissioner Rhoades absent. The next regularly scheduled meeting will be held on June 7, 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 June 6, 2022.



Chair



Executive Director