

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

August 30, 2022

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Notice was duly published August 18, 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 August 30, 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, Tim Schram and Dan Watermeier present in the Commission Hearing Room and Commissioner Mary Ridder 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:

COMMUNICATIONS DEPARTMENT

C-5420: In the Matter of the Application of Lori Hoebelheinrich, Fordyce, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc.;

C-5427: In the Matter of the Application of Douglas Whipple, Fordyce, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc.; and

C-5428: In the Matter of the Application of James Schieffer and Loren Schurman, St. Helena, each seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter Orders granting applications C-5420, C-5427 and C-5428. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

Cullen Robbins discussed and sought Commission approval of the 2022 Annual Report on Telecommunications to the Legislature. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the 2022 Annual Report on Telecommunications. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, Commissioner Crystal Rhoades voting NAY, and Commissioner Mary Ridder excused not voting.

C-5429: In the Matter of the Application of Northeast Nebraska Telephone Company, Jackson, Nebraska, seeking approval of an Interconnection Agreement with Allo Communications, LLC, Lincoln, Nebraska. 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, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

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NUSF-32.18: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to conduct an inquiry into the failure by Stream Communications, LLC – now Kynect Communications, LLC – and ACN Communication Services, LLC to comply with Commission Rules or Orders and to impose administrative fines. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an amended Order initiating Show Cause. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

NUSF-131: In the Matter of the Nebraska Public Service Commission, on its own motion, to establish reverse auction procedures and requirements. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order issuing initial auction results. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, Commissioner Crystal Rhoades present not voting, and Commissioner Mary Ridder excused not voting.

Cullen Robbins provided the Commission with an update regarding open Communications Dockets

NATURAL GAS DEPARTMENT

NG-117: In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval to implement a voluntary renewable natural gas and carbon offset program. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter a notice of assessment order. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

E-2505: 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 Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

RULES AND REGULATIONS

R&R 208: In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 7, Transmission Lines Rules and Regulations, to adopt the 2023 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter an Order opening docket, seeking comments, and notice of hearing. Motion passed with

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Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

TRANSPORTATION DEPARTMENT

B-1798.03: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require Triumph Transportation, Inc., Kearney, to show cause why its Certificate of Public Convenience and Necessity issued in Docket No. B-1798 should not be revoked. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order to show cause and schedule hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

B-1999.01: In the Matter of the Application of Mike's Capital Cab, LLC, Lincoln, seeking suspension of its Certificate of Public Convenience and Necessity issued in Docket No. B-1999 until July 1, 2023. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting extension of suspension until July 1, 2023. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

B-2058: In the Matter of the Application of Artiri Enterprises, LLC, Ralston, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class service between points in Dodge, Douglas, Lancaster, Sarpy, Saunders, and Washington counties, and between said counties over irregular routes. HHS Designation: Yes. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order dismissing application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

PI-230: In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate insurance requirements for motor carriers providing intrastate transportation services within the state of Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order closing investigation. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

PI-242: In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate fuel surcharges for motor carriers providing intrastate passenger transportation services within the State of Nebraska. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order closing investigation. Motion passed with Commissioners Rod Johnson, Crystal

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Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

PI-243/B-1801: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the operations of City Taxi, Inc., Carter Lake, Iowa. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order opening docket and scheduling hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

In the Matter of the attached list of completed Household Goods Mover license renewals effective for one year beginning August 30, 2022. Dillon Keiffer-Johnson reports on the Household Goods Mover license renewal list.

B-2051.01r: In the Matter of the Application of LTC Holdings LLC, Lincoln, 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. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

MANF-15: In the Matter of the Commission, on its own Motion, seeking to determine the seal fee amount for the Manufactured Home Program: Commissioner Rod Johnson presiding as Hearing Officer. to enter an Order setting a Hearing for September 27, 2022 at 11:00 a.m. in the Commission Hearing Room, Lincoln;

MODF-16: In the Matter of the Commission, on its own Motion, seeking to determine the seal fee amount for the Modular Housing Program: Commissioner Rod Johnson presiding as Hearing Officer. to enter an Order setting a Hearing for September 27, 2022 at 11:00 a.m. in the Commission Hearing Room, Lincoln; and

RVF-16: In the Matter of the Commission, on its own Motion, seeking to determine the fees for the Recreational Vehicle Program: Commissioner Rod Johnson presiding as Hearing officer. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter an Order setting a Hearing for September 27, 2022 at 11:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder excused not voting.

GENERAL ADMINISTRATION

Executive Director's recommendation to authorize Terri Fritz to travel to and attend the 2022 Association of Grain Regulatory Officials

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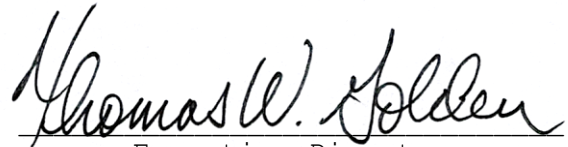
(AGRO) Conference, in Savannah, GA, from October 15 to October 19, 2022, with all expenses to be paid by the Commission. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, Commissioner Crystal Rhoades present not voting, and Commissioner Mary Ridder excused not voting.

Executive Director's recommendation to authorize Matt Gross to travel to and attend the 2022 Association of Grain Regulatory Officials (AGRO) Conference, in Savannah, GA, from October 16 to October 19, 2022, with all expenses to be paid by the Commission. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, Commissioner Crystal Rhoades present not voting, and Commissioner Mary Ridder excused not voting.

The meeting adjourned at 10:26 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 September 13, 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 September 12, 2022.



Chair



Executive Director