

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

September 27, 2022

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Notice was duly published September 16, 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 September 27, 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, Tim Schram and Dan Watermeier present in the Commission Hearing Room, Commissioner Mary Ridder present via Webex but did not participate in the proceedings, and Commissioner Crystal 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:

## **COMMUNICATIONS DEPARTMENT**

**TRS-25:** In the Matter of Cullen Robbins, Director of the Department of the Nebraska Public Service Commission, Complainant, v. Cloudcall, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order dismissing Complaint. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

**C-5406:** In the Matter of the Application of New Cingular Wireless PCS, LLC, Bedminster, New Jersey, seeking approval of a Wireless Traffic Exchange Agreement with Hooper Telephone Company d/b/a Westel Systems, Remsen, Iowa. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting Application. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

Cullen Robbins discussed TRS Late-Filed Carrier Remittances: Konica Minolta Business Solutions USA, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, that a Complaint be opened against Konica Minolta Business Solutions USA, Inc. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

**NUSF-32.18:** In the Matter of 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 Communications Services, LLC, to comply with Commission rules or Orders and to impose administrative fines. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order dismissing Complaint. Motion passed with Commissioners Rod Johnson,

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

**NUSF-37.410:** In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Sangoma US, Inc., Respondent; and

**NUSF-37.411:** In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Select Communications, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders dismissing Complaints NUSF-37.410 and NUSF-37.411. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

**NUSF-92.58:** In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: NE Colorado Cellular Inc., d/b/a Viaero Wireless. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting Motion for Extension of Time. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Onvoy, LLC and Konica Minolta Business Solutions USA, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, that Complaints be opened against Onvoy, LLC and Konica Minolta Business Solutions, USA, Inc. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

## **NATURAL GAS DEPARTMENT**

**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 October 19, 2022, at 10:00 a.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 October 18, 2022, at 2:00p.m. in the Commission Hearing Room and via Webex.

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## RULES AND REGULATIONS

**R&R 207:** In the Matter of the Commission, on its own motion, seeking to establish Title 291, Chapter 16, to adopt Reverse Auction and Wireless Registry rules and regulations in accordance with Nebraska Legislative Bill 338 [2021]. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter Order opening docket, releasing proposed rules, seeking comment, and setting hearing. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

## TRANSPORTATION DEPARTMENT

**B-1986.01:** In the Matter of the Nebraska Public Service Commission, on its own motion, to require Recommended Care Solutions, LLC, d/b/a MedCare Mobility, Omaha, to show cause why its Certificate of Public Convenience and Necessity 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, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

**ML-29:** In the Matter of the Application of Nebraskaland Leasing & Associates d/b/a Nebraskaland Moving & Storage, Lincoln, Nebraska, seeking to reinstate its license to provide household goods moving services in Nebraska intrastate commerce between all points in Nebraska over irregular routes. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting reinstatement of License. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

## GENERAL ADMINISTRATION

Approval for Commissioner Crystal Rhoades to travel to and attend the 2022 National Lifeline Association (NaLA) Conference in Nashville, TN, from September 27 to September 30, 2022, with registration and hotel costs provided by NaLA and remaining 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, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

Approval for Commissioner Tim Schram to travel to and attend the Interstate TRS Advisory Council meeting in Washington D.C., from October 20 to October 21, 2022, with all expenses to be reimbursed by the Interstate TRS fund. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

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Executive Director's recommendation to approve David A. Sankey to travel to and attend the National Association of State 911 Administrators (NASNA) Fall 2022 Conference, in Columbus, OH, from October 17, 2022 to October 20, 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, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

Executive Director's recommendation to approve final minutes for January 2022 through July 2022. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder excused not voting.

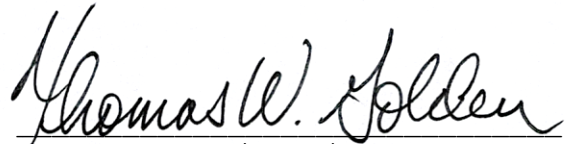
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The meeting adjourned at 10:14 a.m. with Commissioners Rod Johnson, Tim Schram and Dan Watermeier present, Commissioner Mary Ridder present via Webex but did not participate in the proceedings, and Commissioner Crystal Rhoades absent. The next regularly scheduled meeting will be held on October 4, 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 October 3, 2022.



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Chair



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Executive Director