

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

November 29, 2022

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Notice was duly published November 18, 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 November 29, 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, Dan Watermeier, Crystal Rhoades, and Mary Ridder 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:

COMMUNICATIONS DEPARTMENT

C-5452: In the Matter of the Application of Yankton Shop EZ, St., 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 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-5456: 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 Metropolitan Telecommunications of Nebraska, Inc., d/b/a MetTel, Inc., New York, New York. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5457: In the Matter of the Application of United Telephone of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to its Interconnection Agreement with Metropolitan Telecommunications of Nebraska, Inc., d/b/a MetTel, New York, New York. 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.

NUSE-61.22: 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: Consumer Cellular. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order approving traffic study. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NATURAL GAS

NG-118: In the Matter of the Commission, on its own motion, seeking to open a docket to review proposed cleanup and updates to Title 291, Chapter 9, Natural Gas and Oil Pipeline Rules and Regulations. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order opening the docket and setting a workshop for February 8, 2023, at 1:30 p.m. in the Commission Hearing Room. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-101: 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;

NG-101.1: Black Hills/Nebraska Gas Utility Company, LLC, and Black Hills Gas Distribution, LLC, d/b/a Black Hills Energy;

NG-101.2: NorthWestern Corporation d/b/a NorthWestern Energy;

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;

NG-112.2: In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a 2023 System Safety and Integrity Rider;

NG-115: In the Matter of the Commission, to conduct a review of gas supply cost adjustment schedules implemented by NorthWestern Corporation d/b/a NorthWestern Energy, Sioux Falls, South Dakota, pursuant to Neb. Rev. Stat. § 66-1854;

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 Crystal Rhoades, to enter assessment orders NG-101.1/BA-23, NG-101.2/BA-24, NG-111.1/BA-27, NG-112.2/BA-21, NG-112.2/BA-22, NG-115/BW-1 and NG-117/BA-4. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-1250.02: In the Matter of the Application of Omaha Ambulance Service, Inc., Omaha, seeking revocation and cancellation of the Certificate of Public Convenience and Necessity issued in Application B-1250. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order cancelling Certificate. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1801.02: In the Matter of the Application of City Taxi, Inc., Omaha, seeking approval of a change to an existing operation by transfer of stock ownership. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order for application granting and acquisition of control through stock transfer authorized. Motion

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passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2044: In the Matter of the Application of Legacy Services Transportation, Omaha, seeking authority as contract carrier in Nebraska intrastate commerce in the transportation of passengers by sedan and van in open class service between all points in Nebraska over irregular routes pursuant to a contract with the Nebraska Department of Health and Human Services, a medicaid-managed care organization under contract with NDHHS, or another agent working on behalf of NDHHS. HHS Designation: Yes. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order granting application as amended. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2052: In the Matter of the Application of Mighty Care Medical Transport, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by sedan and van in open class service between points in Douglas, Sarpy, Dodge, and Lancaster counties, and between said counties, over irregular routes. HHS Designation: Yes. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting application as amended. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TNC-2: In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order setting fee. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1582.03r: In the Matter of Action Taxi & Limo, Inc., Sioux City, Iowa, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. to enter an Order granting rates on an emergency basis.

B-1902.03r: In the Matter of the Application of AA Cabbies, Inc., d/b/a Siouxland Taxi, Sioux City, Iowa, 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 Rod Johnson, 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-1958.01r: In the Matter of the Application of Blair Blue Community Transportation, LLC, Blair, 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 Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting rates on an

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emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

HOUSING 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;

MODF-16: In the Matter of the Commission, on its own Motion, seeking to determine the seal fee amount for the Modular Housing Program; and

RVF-16: In the Matter of the Commission, on its own Motion, seeking to determine the fees for the Recreational Vehicle Program; Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders setting fees MANF-15, MODF-16, and RVF-16. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

HOUSING DEPARTMENT

GW-615: In the Matter of Oshkosh Grain, Inc, Oshkosh, Nebraska: Terri Fritz reports on shortage of wheat.

GD-3056: In the Matter of the Application of SureSource Commodities, LLC, Petrolia, Ontario, Canada, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue 2018). 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.

GENERAL ADMINISTRATION

Executive Director's recommendation to enter into an Independent Contractor Agreement with Ken Stadler, RA for the purposes of Manufactured Home and Modular Housing Unit Plan Reviews. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson. 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 approve final minutes for October 2022. 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 present not voting.

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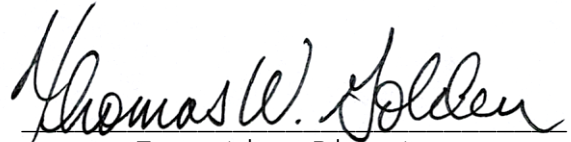
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The meeting adjourned at 10:18 a.m. with Commissioners Rod Johnson, Tim Schram, Mary Ridder, Crystal Rhoades, and Dan Watermeier present. The next regularly scheduled meeting will be held on December 6, 2022 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on December 5, 2022.



Chair



Executive Director