

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

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Notice was duly published February 16, 2023 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 February 28, 2023 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 10:01 a.m. with Commissioners Kevin Stocker, Eric Kamler, Tim Schram, Christian Mirch, 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:

## **COMMUNICATIONS DEPARTMENT**

**C-5475:** In the Matter of the Application of Metropolitan Telecommunications of Nebraska, Inc., Holmdel, New Jersey, seeking authority to change its name to Metropolitan Telecommunications of Nebraska, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**C-5478:** In the Matter of the Application of Hamilton Telephone Company, Aurora, Nebraska, seeking approval of an Interconnection Agreement with Allo Communications, LLC, Lincoln, Nebraska. to enter an Order granting application; and

**C-5479:** In the Matter of the Application of Hartington Telecommunications Co., Inc., Hartington, Nebraska, seeking approval of an Interconnection Agreement with Allo Communications, LLC, Lincoln, Nebraska. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**C-5473:** In the Matter of the Commission, on its own Motion, to determine the surcharge for the statewide Telecommunications Relay System, to be effective July 1, 2023. Cullen Robbins discusses the Hearing Officer's Order of February 16, 2023, continuing the Hearing originally scheduled for March 14, 2023 at 11:00 a.m. to Tuesday, March 21, 2023 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

## **STATE 911 DEPARTMENT**

**911-042.07:** 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: Johnson County. Motion made by Commissioner Tim

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Schram, seconded by Commissioner Christian Mirch to enter an Order approving the use of set-aside funds. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**911-042.67:** 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: Pierce County. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order approving the use of set-aside funds. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Director Sankey recommends and seeks Commission appointment of Jessica Loos of the Lancaster County 911 Center to fill the vacant League of Municipalities position on the 911 Service System Advisory Committee, and David Collett to fill the vacant position of OCIO. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to approve the appointment of Jessica Loos and David Collett to the 911 Service System Advisory Committee. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## LEGISLATIVE

**LB 378:** Discussion and action on pending legislation. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to monitor the LB 378 without action. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## TRANSPORTATION DEPARTMENT

**B-1320.01:** In the Matter of the Application of Ronald D. Allgood, d/b/a Tree City Cab, Nebraska City, seeking to suspend its Certificate of Public Convenience and Necessity issued in Docket No. B-1320 until July 1, 2023. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Granting Suspension. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1887.02:** In the Matter of the Commission, on its own motion, to require J.A.I. 1 LLC, d/b/a Caring Hearings Transportation, Omaha, to show cause why the Commission should not revoke its Permit of Authority. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order to Show Cause and Schedule Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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**B-2003.01:** In the Matter of the Application of Thomas Transportation, Omaha, seeking revocation and cancellation of its Certificate of Public Convenience and Necessity issued in Docket B-2003. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order Cancelling Certificate. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1582.04r:** 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.; and

**B-1902.04r:** 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 Eric Kamler, seconded by Commissioner Tim Schram to enter Orders Denying Emergency Basis Request. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1969.03r:** In the Matter of the Application of WHC NE, LLC, d/b/a Airport Transportation d/b/a My Sedan and zTrip, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Order Denying Emergency Basis Request and Scheduling Hearing;

**B-1970.03r:** In the Matter of the Application of WHC NE, LLC, d/b/a zTrip and Cornhusker Cab Company, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Order Denying Emergency Basis Request and Scheduling Hearing;

**B-1971.03r:** In the Matter of the Application of WHC NE, LLC, d/b/a zTrip and Happy Cab, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Order Denying Emergency Basis Request and Scheduling Hearing;

**B-1972.03r:** In the Matter of the Application of WHC NE, LLC, d/b/a zTrip and Checker Cab Company, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Order Denying Emergency Basis Request and Scheduling Hearing;

**B-1973.03r:** In the Matter of the Application of WHC NE, LLC, d/b/a zTrip and Yellow Cab Company, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Order Denying Emergency Basis Request and Scheduling Hearing; and

**B-1974.03r:** In the Matter of the Application of WHC NE, LLC, d/b/a zTrip and Safeway Cabs, 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 Kevin Stocker to enter Orders Denying Emergency Basis Request and Scheduling Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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**B-2061.01r:** In the Matter of the Application of 360 Transportation Services, 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 Kevin Stocker to enter an Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## GRAIN DEPARTMENT

**GD-3062:** In the Matter of the Application of Coda Manufacturing, LLC dba Preferred Popcorn, seeking a name change to Preferred Popcorn, LLC. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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The meeting adjourned at 10:37 a.m. with Commissioners Kevin Stocker, Eric Kamler, Tim Schram, Christian Mirch, and Dan Watermeier present. The next regularly scheduled meeting will be held on March 7, 2023 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 6, 2023.



Chair



Executive Director