

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

March 7, 2023

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Notice was duly published February 27, 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 March 7, 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 10:02 a.m. with Commissioners Kevin Stocker, Tim Schram, Christian Mirch, and Dan Watermeier present in the Commission Hearing Room, and Commissioner Eric Kamler present but not participating via WebEx. 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-5481:** In the Matter of the Application of ImOn Communications, LLC, Cedar Rapids, Iowa, and FiberComm, L.C., Sioux City, Iowa, seeking approval of a transfer of control. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order granting application. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

**C-5484:** In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Nebraska Broadband Bridge Program in the 2023 program year. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order opening docket and seeking comments, due March 28, 2023, with a hearing scheduled for April 4, 2023 at 1:00 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

**NUSE-37.419:** In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Comtech 21, LLC, Respondent. to enter an Order dismissing Complaint.; and

**NUSE-37.420:** In the matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Prairie Hills Wireless, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order dismissing Complaint. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

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## NATURAL GAS DEPARTMENT

**NG-119:** In the Matter of the Commission, to conduct a review of gas supply cost adjustment schedules implemented by Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, pursuant to Neb. Rev. Stat. § 66-1854. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an order opening the docket and initiating review and Notice of Assessment. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

**E-2509:** 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 Kevin Stocker, seconded by Commissioner Christian Mirch to enter an order granting the application. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

**E-2510:** In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Pawnee County. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an order granting the application. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

## LEGISLATIVE

Discussion on pending legislation. No Motion was made.

## TRANSPORTATION DEPARTMENT

**B-2066:** In the Matter of the Application of SLCT Transport d/b/a Snowleopard Medical Transport, Bennington, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class service between points in Douglas, Sarpy, Lancaster, Washington, Dodge, Cass, and Saunders Counties, and between said counties over irregular routes. HHS Designation: Yes. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker Order Granting Application as Amended. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

**MT-0001.03:** In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to address certain carriers in non-compliance with annual renewal requirements. Motion made by

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Commissioner Tim Schram, seconded by Commissioner Kevin Stocker Order to Dismiss, In Part. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

**MCC-3196.05:** Dillon Keiffer-Johnson, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, COMPLAINANT, vs. Careem Transportation, LLC; Cornbelt Development d/b/a Travel Plus Limousines; Dashabout Roadrunner, Inc. d/b/a Buffalo Springs Ranch; Davis Entertainment, LLC d/b/a Ollie the Trolley; Kearney Cab Company; Lunjini Medical Transportation, LLC; Nebraska Urban Indian Health Coalition; Night Life Limousine, LLC; Omaha Omaha Handicap Transportation Service; Safe Journey Transit, LLC; and Serving Nebraska Health Transportation Agency, RESPONDENTS. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram Order Opening Docket and Scheduling Show Cause Hearing. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

**B-2052.01r:** In the Matter of the Application of Mighty Care Medical Transport, LLC, 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 Order Granting Rates. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

**B-2064.01r:** In the Matter of the Application of Catch a Ride Taxi and Transportation, LLC, Kearney, 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 Kevin Stocker, seconded by Commissioner Tim Schram Order Granting Rates on an Emergency Basis. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

## GRAIN DEPARTMENT

**GD-3059:** In the Matter of the Application of Ainsworth Feed Processing, LLC, Ainsworth, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. §75-903 (Reissue 2018). Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an order granting application. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

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**GD-2970:** In the Matter of Preferred Popcorn LLC, Chapman, Nebraska: Terri Fritz reports on the cancellation of Grain Dealer License effective December 1, 2022.

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The meeting adjourned at 10:21 a.m. with Commissioners Kevin Stocker, Tim Schram, Christian Mirch, and Dan Watermeier present, and Commissioner Eric Kamler present but not participating via WebEx. The next regularly scheduled meeting will be held on March 14, 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 13, 2023.



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Chair



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Executive Director