

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

December 3, 2019

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Notice was duly published November 26, 2019 on page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on December 3, 2019 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. Chair Ridder 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:

Tuesday, December 10, 2019:

Commission Meeting

10:00 a.m. - Commission Hearing Room

NIEF Advisory Board Meeting

2:00 p.m. - Niobrara Room

COMMUNICATIONS DEPARTMENT

C-5078 In the Matter of the Application of Wisconsin Independent Network, LLC, Eau Claire, Wisconsin, seeking approval of a name change to WIN, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

AD-678r In the Matter of the Application of Broadnet Teleservices, LLC, Highlands Range, Colorado, seeking authority to register the connection of an automatic dialing-announcing device in Aurora, Colorado. Motion made by Commissioner Dan Watermeier, 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.

Cullen Robbins informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month.

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Outages for November 2019							
Telephone Company	Affected Area	Outage Date	Completion Date	Duration	Number of Access Lines	Cause Primary	Comments
Windstream Communications	Elmwood, Eagle	Nov-06-19	Nov-06-19	0 d 5 h	830	Cable Cut	Windstream services in Elmwood and Eagle were impacted by a fiber cut near S. 84th St. & Hwy 34, Lincoln, NE caused by a construction crew boring. Windstream contracted SSP was engaged for fiber repair and replaced 1000 feet of 48-count cable to restore service.
Windstream Nebraska, Inc.	Hickman	Nov-12-19	Nov-12-19	0 d 9 h	648	Cable Cut	Fiber cut located approximately 100 ft from the Hickman Co at 117 Chestnut St. The 60 count fiber was damaged by city construction, no locate was performed. Windstream contracted SSP was engaged for fiber repair and replaced 800 feet of cable to restore service.
Qwest Corporation	Omaha	Nov-13-19	Nov-14-19	1 d 5 h	336	Cable Cut	CenturyLink initially repaired the working lines by 8 pm, so they were out from 2:49 to 8:00 or just over 5 hours. MUD had requested a locate, but USIC did not meet the required date for the locate. CenturyLink has notified USIC of the issue and is working with them to make sure they have enough personnel available to complete all requests in a timely manner.
Qwest Corporation	Fremont	Nov-14-19	Nov-14-19	0 d 5 h	232	Cable Cut	Constructors, Inc. cut the cable without requesting a locate. CenturyLink has submitted a damage claim for repairs - #7274016. The 100 pair copper cable was repaired on November 14 at 4:10 pm
Qwest Corporation	Omaha	Nov-20-19		d h	154	Cable Cut	
Qwest Corporation	Omaha	Nov-20-19		d h	350	Cable Cut	
Windstream Nebraska, Inc.	Crete	Nov-25-19	Nov-25-19	d 1 h	1990	Equipment	Remotes auto-recovered and service was restored - only lasted a few minutes.
Qwest Corporation	Elwood	Nov-25-19	Nov-25-19	0 d 2 h	376	Equipment	The Elwood Switch is not processing toll calls. It was a software issue that reset itself prior to the techs getting to the Elwood office.
Qwest Corporation	Omaha	Nov-25-19	Nov-26-19	1 d 2 h	330	Cable Cut	

STATE 911 DEPARTMENT

911-042.59 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: City of Norfolk. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier to enter an Order approving the use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Dave Sankey recommended and sought Commission appointment of Shane Weidner from Norfolk to the 911 Service System Advisory Committee. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier to approve appointment of Shane Weidner to the 911 Service System Advisory Committee. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

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NATURAL GAS DEPARTMENT

NG-78.7 In the Matter of the Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy, for authority to adjust the System Safety and Integrity charges (2020);

NG-90.2 In the Matter of Black Hills/Nebraska Gas Utility, LLC, d/b/a Black Hills Energy, Papillion, seeking approval to adjust the surcharge for the Farm Tap Safety Program for the 2019-20 year;

NG-100 In the Matter of the Joint Application of Black Hills Gas Distribution, LLC, and Black Hills/Nebraska Gas Utility Company, LLC, Rapid City, South Dakota, seeking approval to consolidate the Nebraska tariffs, assets, liabilities, and operations of the two companies, and to rename the consolidated entity Black Hills Nebraska Gas, LLC;

NG-101/ PI-224 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; and

NG-101.1 Black Hills/Nebraska Gas Utility Company, LLC, and Black Hills Gas Distribution, LLC, d/b/a Black Hills Energy. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter assessment orders NG-78.7/BA-16 and BA-17, NG-90.2/BA-13 and BA-14, NG-100/BA-13 and BA-14, NG-101.1/BA-4, BA-5 and BW-1. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-1439 In the Matter of the Application of Transport Plus of Lincoln, Inc., Lincoln, seeking revocation and cancellation of its common carrier authority issued under Certificate B-1439. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order cancelling certificate. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1874 In the Matter of the Application of Yellow Cab Beatrice, Beatrice, seeking to acquire, through sale and transfer, the authority granted to Leisure Taxi, LLC, Lincoln, in Certificate B-1830. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order granting transfer and cancelling certificate B-1830. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

B-1962 In the Matter of Medivac Corp. d/b/a Metro Medical Transportation, Harlan, Iowa, seeking to acquire, through sale or transfer, the authority held by David F. Miller d/b/a Metro Medical Transportation, Inc., Omaha, in Application No. B-1456. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order dismissing application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1975 In the Matter of the Application of Upper Hand Transportation, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in open class service between points in Cass, Douglas, Lancaster, Sarpy, and Washington counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. No Motion was made.

B-1985 In the Matter of the Application of Platinum Limos, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by luxury or stretch limousine between points in Sarpy, Saunders, Douglas and Lancaster Counties, and points between said counties, over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order denying application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

PI-227/
B-1679 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the safety procedures of RailCrew Xpress Corp., Lenexa, Kansas. Jamie Reyes reporting that the Hearing Officer entered an Order, the hearing will be rescheduling to January 14, 2020 at 1:30 P.M. in the Commission Hearing Room, Lincoln.

BR-571/
B-1517 In the Matter of the Application of Comstock Corporation, d/b/a Action Cab, Grand Island, 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 Dan Watermeier to enter an Order granting rates. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

BR-574/ In the Matter of the Application of Papio Transport
B-1733 Service, Inc., Papillion, 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 Nunc Pro Tunc.
Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary
Ridder, Tim Schram and Dan Watermeier voting AYE.

In the Matter of the 2019 Annual Report to the Legislature
on the status of the Implementation of LB-629 (2015). No Motion was
made.

GRAIN WAREHOUSE DEPARTMENT

GD-3038 In the Matter of the Application of Elkhorn Valley Grain
and Processing, LLC, Omaha, Nebraska, seeking authority to
operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903
(Reissue if 2016). Motion made by Commissioner Tim Schram, seconded
by Commissioner Rod Johnson to enter an order granting the Grain
Dealer License. Motion passed with Commissioners Rod Johnson, Crystal
Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

GD-2195 In the Matter of First Rate Trading, LLC, Hadar, Nebraska:
Mike Bartels reported on the cancellation of grain dealer
license effective December 3, 2019.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Commission
invoices. Motion made by Commissioner Rod Johnson, seconded by
Commissioner Dan Watermeier. Motion passed with Commissioners Rod
Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and
Commissioner Crystal Rhoades present not voting.

Tim Schram	\$	315.52
Dan Watermeier		157.76

The following invoices were paid between 11/14/19 and 12/02/19 and
should be ratified:

Crystal Rhoades	\$	55.22
Crystal Rhoades		643.80
Mary Ridder		923.01

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The meeting adjourned at 10:25 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 December 10, 2019 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 9, 2019.



Chair



Executive Director