

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

June 30, 2020

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Notice was duly published June 23, 2020 on page 10 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on June 30, 2020 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:02 AM. 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, July 14, 2020:

Commission Meeting

10:00 a.m. - Commission Hearing Room

Remote access to the meeting will be available via Webex or by telephone. The Commission's Webex may be accessed by the following link: <http://tiny.cc/PSCWebex> (case sensitive). Those wishing to attend anonymously may use "anonymous" for their name and "a@b.com" for their email address. To attend by telephone, dial 415-655-0003, then enter 926 343 190 when prompted for an access code.

COMMUNICATIONS DEPARTMENT

C-4976 In the Matter of the Application of Stephanie Davis, Harvard, seeking authority to receive advanced telecommunications service from the Giltner Exchange of Hamilton Telephone Company. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram. to enter an Order withdrawing application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5122/
DC-96 In the Matter of the Nebraska Public Service Commission, on its own motion, regarding the 2019 Annual Report filings. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order dismissing Complaint, in part. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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- C-5123 In the Matter of the Application of Gerald Brown, Doniphan, seeking authority to receive telephone service from the Doniphan exchange of Hamilton Telephone Company.
- C-5128 In the Matter of the Application of Russ Sudbeck, Hartington, seeking authority to receive telephone service from the Hartington exchange of Hartington Telecommunications Co., Inc. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier, to enter Orders granting applications C-5123 and C-5128. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.
- C-5130 In the Matter of the Application of NGA 911, L.L.C., Beverly Hills, California, for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange and Interexchange Services in the State of Nebraska. 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.
- C-5131 In the Matter of the Application of Qwest Corporation dba CenturyLink, QC, Denver, Colorado, seeking approval of a Batch Hot Cut Removal Amendment to the Interconnection Agreement with BullsEye Telecom, Inc., Southfield, Michigan, for the State of Nebraska, previously approved in Docket C-3179. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order approving interconnection amendment. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.
- TRS-22 In the Matter of Cullen Robbins, Director of the Communications Department of the Nebraska Public Service Commission, Complainant, v. Consumer Cellular, Inc., Defendant. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order dismissing Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.
- NUSF-37.382 Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Ooma, Inc., Respondent. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier, to enter an Order dismissing Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NUSF-61.15 In the Matter of the Nebraska Public Service Commission, seeking to review traffic studies to determine the appropriate percentage of assessable revenues subject to the Nebraska Universal Service Fund: Consumer Cellular request for approval of traffic study. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order to approve Consumer Cellular's traffic study. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99, In the Matter of the Nebraska Public Service Commission, on PO #2 its own Motion, to administer the Universal Service Fund High-cost Program. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order seeking further comments due July 30, 2020, and, setting a hearing on August 25, 2020, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-108, In the Matter of the Nebraska Public Service Commission, on PO #5 its own motion, to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements. Commissioner Mary Ridder presiding as Hearing Officer. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order setting a hearing for September 29, 2020, at 1:30 p.m. in the Commission Hearing Room, Lincoln, on NUSF-EARN Form requirements. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-119/ In the Matter of the Nebraska Public Service Commission, on PI-233 its own motion, to consider revisions to the contribution methodology and determine a rate-design for services currently subject to a revenues-based surcharge. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order opening docket and seeking comments due July 31, 2020, and, reply comments due August 21, 2020. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

WC Docket In the Matter of Eliminating Ex Ante Pricing Regulation 20-71 and Tariffing of Telephone Access Charges. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram. Cullen Robbins sought Commission approval to file Comments to the FCC which are due July 6, 2020. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Peerless Network of Nebraska, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, that a complaint be opened for Peerless Network of Nebraska, LLC. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

E-2476 In the Matter of the Application of Loup River Public Power District, Columbus, Nebraska, seeking authority to construct, operate and maintain an electric transmission line in Platte County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-1899 In the Matter of the Application of The Happy Bus, LLC, Alma, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party service between all points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. 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.

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. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order denying application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

M-14252 In the Matter of the Application of Island Moving, LLC, Saint Libory, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between all points in Nebraska over irregular routes. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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MCC-3196.02 Jamie L. Reyes, Director Motor Transportation
 Department, Nebraska Public Service Commission,
Lincoln, Nebraska, Complainant v. Alpha Life Improvement Services;
Big A Holdings, LLC dba OMALiNK; Big O's Party Bus, LLC; Black Diamond
S&S; Bus at the Yard d/b/a Luxury Limousine; Careem Transportation,
LLC; Daniel's Moving & Storage of Omaha, LLC; Denver Coach, Inc.;
First Student dba First Student, Inc.; Ford Storage & Moving Co.; Good
Times Limousine, Inc.; Kelly DeSive; King's Moving; Modest Movers, LLC
dba Middle West Movers; Nebraska Taxi, LLC; Night Life Limousine, LLC;
Omaha Omaha Handicap Transportation Services; Rapid Shuttle Service;
Roadrunner Bus, LLC; Ronald D. Allgood dba Tree City Cab Company;
Siouxland Paramedics, Inc.; Smiley's; T and T Party Bus, LLC dba T & T
Limousines; The Wine Bus, LLC; and Xtreme Ride, LLC, Respondents.
Motion made by Commissioner Crystal Rhoades, seconded by Commissioner
Dan Watermeier, to enter an Order sustaining in part, dismissing in
part. Motion passed with Commissioners Rod Johnson, Crystal Rhoades,
Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

BR-584/
B-1995 In the Matter of the Application of Serving Nebraska Health
 Transportation Agency, 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
Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an
Order approving rates. Motion passed with Commissioners Rod Johnson,
Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting
AYE.

TR-217 In the Matter of the Application of Fremont Cab Services,
 LLC, Fremont, seeking to establish its rates and charges
subject to the provisions of Neb. Rev. Stat. Chapter 75, Articles 1
and 3. Jamie Reyes informs the Commission that a Hearing in TR-217/B-
1702 Fremont Cab has been scheduled for July 14, 2020 at 11:00 a.m. in
the Commission Hearing Room via WebEx.

PI-228 In the Matter of the Nebraska Public Service Commission, on
 its own motion, seeking to investigate the blocking of
railroad crossings in Hall County, Nebraska. Motion made by
Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to
enter an Order releasing findings and closing investigation. Motion
passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder,
Tim Schram and Dan Watermeier voting AYE.
TRANSPORTATION DEPARTMENT (Cont.)

Blocked Railroad Crossing Complaints. Motion made by Commissioner
Tim Schram, seconded by Commissioner Crystal Rhoades. Jamie Reyes
seeks Commission approval to open Complaints against Burlington
Northern Railroad Company, Union Pacific Railroad Company, and
Nebraska Central Railroad. Motion passed with Commissioners Rod
Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier
voting AYE.

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GRAIN WAREHOUSE DEPARTMENT

GW-1154 In the Matter of the Application of Cooperative Producers, Inc., Hastings, Nebraska, requests to terminate a Storage Contract in Accordance with the Provisions of Chapter 88, Article 5, Nebraska Rev. Stat., Section 88-544 in Accordance with the Provisions of Chapter 8, Section 002.13 of the Rules and Regulations of the Nebraska Public Service Commission. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter six orders granting the termination of storage contracts. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GW-19 etal In the Matter of the attached list of completed list of warehouses license renewals for the 2nd quarter of 2020: Dillon Keiffer-Johnson reports on the 2nd quarter grain warehouse renewal licenses.

GW-1790 In the Matter of Garry's Farm Service, Inc., Bloomfield, Nebraska: Dillon Keiffer-Johnson reports that the grain warehouse license was cancelled as of June 24, 2020.

GD-19 etal In the Matter of the attached list of completed list of grain dealer license renewals for the 2nd quarter of 2020: Dillon Keiffer-Johnson reports on the 2nd quarter grain dealer license renewal licenses.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve the nomination of Employee of the Year. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

The meeting adjourned at 10:37 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on July 14, 2020 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on July 13, 2020.


Chair


Executive Director