

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published July 7, 2020 on page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on July 14, 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:

TR-217/ Motor Transportation - **Hearing**  
B-1702 11:00 a.m. - Commission Hearing Room  
Commissioner Mary Ridder - Hearing Officer  
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.

Wednesday, July 15, 2020:

NG-101.2/ NorthWestern Energy - **Quarterly Status Meeting**  
PI-224 10:00 a.m. - Web Conference - Remote access to the meeting will be available via Zoom or by telephone. Commissioner Rod Johnson - Hearing Officer

Tuesday, July 21, 2020:

NG-107 Black Hills Energy - **Hearing**  
1:30 p.m. - Web Conference- Remote access to the meeting will be available via Zoom or by telephone. Commissioner Crystal Rhoades - Hearing Officer

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Tuesday, July 28, 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-5001 In the Matter of the Application of LaRee Lowry, Juniata, seeking authority to receive advanced telecommunications service from the Blue Hill Exchange of Glenwood Telephone Membership Corp. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order withdrawing the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5126 In the Matter of the Application of Jessica Goodwin, Harvard, seeking authority to receive telephone service from the Trumbull exchange of the Hamilton Telephone Company. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order approving boundary change application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5129 In the Matter of the Application of Bluestem Fiber, LLC, Lincoln, Nebraska, seeking a name change to Bluestem Network, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5132 In the Matter of the Application of Citizens Telecommunications Company of Nebraska dba Frontier Communications of Nebraska, and Frontier Communications of America, Inc., Mound, Minnesota, seeking approval of a Transfer of Control Associated with the Chapter 11 Plan of Reorganization of Frontier Communications Corporation and its Subsidiaries. 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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Cullen Robbins sought Commission approval to send a letter to Sprint/T-Mobile granting a waiver extension of TRS service standards. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to approve sending of letter. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder voting NAY.

AD-686r In the Matter of the Application of Strategic Consulting Group, Chicago, Illinois, seeking authority to register the connection of an automatic dialing-announcing device. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5121 In the Matter of the Application of Qwest Corporation dba CenturyLink, QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to the Interconnection Agreement with AT&T Corporation, New Castle, Delaware, for the State of Nebraska, previously approved in Docket C-3095.

C-5133 In the Matter of the Application of Qwest Corporation dba CenturyLink, QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment with Action Communications, Inc., Scottsbluff, Nebraska, for the State of Nebraska, previously approved in Docket C-3461.

C-5134 In the Matter of the Application of United Telephone Company of the West dba CenturyLink, QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to their interconnection agreement with Spectrotel, Inc., Neptune, New Jersey, for the State of Nebraska, previously approved in Docket C-4554.

C-5135 In the Matter of the Application of Qwest Corporation dba CenturyLink, QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to their Interconnection Agreement with Spectrotel, Inc., Neptune, New Jersey, for the State of Nebraska, previously approved in Docket C-4447. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders approving interconnection amendments C-5121, C-5133, C-5134 and C-5135. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-1, PO #7 In the Matter of the commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: M5 Networks, LLC. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to grant M5 Networks' second audit extension request to August 1, 2020, for the NUSF remittance audit, otherwise due December 31, 2019. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NUSF-37.385 In the Matter of Cullen Robbins, Director of the Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, complainant, v. Network Innovations, Inc., Respondent.

NUSF-37.387 In the Matter of Cullen Robbins, Director of the Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, complainant, v. Peerless Network of Nebraska, LLC, Respondent. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter Orders dismissing the Complaints NUSF-37.385 and NUSF-37.387. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Legacy Long Distance International, Inc. and PNG Telecommunications, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, that complaints be opened for Legacy Long Distance and PNG Telecommunications, Inc. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins informed the Commission that a new broadband mapping site has been developed by Commission staff, and can be found at <http://broadbandmap.nebraska.gov>

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

## Outages for June 2020

Carrier	Area	Outage Date	Completion Date	Duration	Lines Affected	Primary Cause	Comments
Southeast Nebraska Communications	Tri-City, Falls City	Jun-08-20	Jun-09-20	0 d 9 h	2,300	Cable Cut	Fiber Optic Cable repaired by Windstream
Qwest Corporation	Howells, Fremont, Clarkson	Jun-16-20	Jun-17-20	0 d 17 h	388	Cable Cut	Switch not processing toll calls. Planned maintenance project. Project to bury fiber that had been above ground since last winter when a 300 foot section had been spliced to restore service after a fiber cut. The contractor buried the cable and added two pedestals, but had a few issues in connecting to one of the new pedestals, resulting in the delay.
Qwest Corporation	Omaha	Jun-19-20	Jun-23-20	3 d 20 h	339	Cable Cut	Vandalism - cable was cut by vandals. The working lines were back in service on June 19th, and the splicing on the remaining lines was completed June 23rd. Internal investigation is underway, and may file police complaint once they finish.
Qwest Corporation	Omaha	Jun-23-20	Jun-23-20	0 d 10 h	538	Cable Cut	USIC provided inaccurate locates. CenturyLink has filed a damage claim to USIC for reimbursement of the repair costs. The repairs were completed around 8pm last night.

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## NATURAL GAS DEPARTMENT

NG-13 In the Matter of the Commission, on its own motion, to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act, Neb. Rev. Stat. §66-1801 et seq. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter Progression order #68. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-49.4 In the Matter of the Application of CenterPoint Energy Services, Inc., Houston, Texas, seeking approval of a name change to Symmetry Energy Solutions, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-102 In the Matter of the Commission, on its own motion, seeking to review policies and practices relating to the administration of customer choice programs for natural gas service offered within the State of Nebraska. Commissioner Mary Ridder presiding as Hearing Officer. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter progression order #3. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-110 In the Matter of the Application of WoodRiver Energy Agriculture, LLC, Denver, Colorado, seeking authority to operate as a Competitive Natural Gas Provider in the State of Nebraska. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-109 In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a general rate increase. Commissioner Dan Watermeier presiding as Hearing Officer. Nichole Mulcahy reports on the scheduling order entered by the Hearing Officer on Monday, July 13, 2020.

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## RULES AND REGULATIONS

R&R 202 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 16, to adopt Reverse Auction and Wireless Registry rules and regulations in accordance with Nebraska Legislative Bill 994 [2018]. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order Issuing Certificate of Adoption. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

## TRANSPORTATION DEPARTMENT

B-1863 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking revocation of the Certificate of Public Convenience and Necessity issued to T & T Party Bus, LLC, d/b/a T & T Limousines, Fremont, in Docket No. B-1863;

B-1920 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking revocation of the Certificate of Public Convenience and Necessity issued to Roadrunner Bus, LLC, Weston, in Docket No. B-1920; and

B-1945 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking revocation of the Certificate of Public Convenience and Necessity issued to Rapid Shuttle Service, Papillion, in Docket No. B-1945. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order revoking certificates in Docket Numbers B-1863, B-1920, and B-1945. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1948 In the Matter of the Application of Careem Transportation, LLC, Omaha, Nebraska, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1948 until April 20, 2021. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order granting suspension until April 20, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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B-2014 In the Matter of the Application of TAA, LLC d/b/a BIG Premier Limousine, Grand Island, seeking to acquire, through sale of assets and membership interest, the authority granted to TAA, LLC d/b/a BIG Premier Limousine, Grand Island, in Application No. B-1806. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order granting transfer and cancelling certificate B-1806. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

BR-585/  
B-2003 In the Matter of the Application of Thomas Transportation, 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 Dan Watermeier, seconded by Commissioner Crystal Rhoades, to enter an Order granting rates. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

LR-358/  
B-2006 In the Matter of My Princess' Limo Services, LLC, Madison, 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 granting rates, in part. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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The meeting adjourned at 10:36 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 28, 2020 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on July 27, 2020.

  
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Chair

  
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Executive Director