

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published October 13, 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 October 20, 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 10:00 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, October 20, 2020:

ADC-15 Remington Research Group & Nebraska Republican Party -
Hearing
1:30 p.m. - Commission Hearing Room
Commissioner Mary Ridder - Hearing Officer

Wednesday, October 21, 2020:

Enhanced Wireless 911 Advisory Board Meeting

10:00 a.m. - Commission Hearing Room

NG-101.2/ North Western Energy - **Quarterly Status Meeting**
PI-224 2:00 p.m. - Web Conference - Remote access to the meeting
will be available via Zoom or by telephone.
Commissioner Rod Johnson - Hearing Officer

Monday, October 26, 2020 through Friday, October 30, 2020:

NG-109 Black Hills Energy - **Rate Case Hearing**
9:00 a.m. to 4:00 p.m. - Cornhusker Marriott, Lancaster
Ballroom. Web Conference - Remote access to the meeting
will be available via Zoom or by telephone.
Commissioner Dan Watermeier - Hearing Officer

Wednesday, November 4, 2020:

Commission Meeting

10:00 a.m. - Commission Hearing Room

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COMMUNICATIONS DEPARTMENT

C-3206 In the Matter of the Commission, on its own Motion, to administer the Nebraska Internet Enhancement Fund. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order approving final payment. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5167/ NUSF-120 In the Matter of the Joint Application of Sodtoun Telephone Company, Ravenna, Nebraska, and Sodtoun Communications, Inc., Lincoln, Nebraska, seeking approval of a transfer of control, and seeking Eligible Telecommunications Carrier Status for Sodtoun Communications, Inc. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order granting application for Eligible Telecommunications Carrier status. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5168 In the Matter of the Application of Velocity The Greatest Phone Company Ever, Inc., Holland, Ohio, seeking a name change to Velocity, a Managed Services Company, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order approving name change. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5169 In the Matter of the Application of Geneva Broadband, LLC, Geneva, Nebraska, seeking authority to transfer control to Glenwood Telecommunications, Inc., Blue Hill, Nebraska, and to withdraw its local exchange certificate of authority and cancel its tariff. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting withdrawal of authority and, transfer of control. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5171 In the Matter of the Application of Jess and Heather Harwager, Hershey, Nebraska, seeking authority to receive advanced telecommunications capability service from the Hershey Exchange of Hershey Cooperative Telephone Company. 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.

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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 letter. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5165 In the Matter of the Application of Charter Fiberlink - Nebraska, LLC, St. Louis, Missouri, seeking approval of an Extended Area Service Interconnection Agreement with Blair Telephone Company, Blair, Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-33, In the Matter of the Commission, on its own motion, seeking PI-68 to investigate the audit requirements related to the Nebraska Universal Service Fund: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order approving audit waiver requests, in part and denying, in part. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-57, In the Matter of the Nebraska Public Service Commission, on PO #6 its own Motion, seeking to administer the Nebraska Telehealth Program: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order releasing proposal, seeking further comments due November 6, 2020, and, setting a hearing on November 18, 2020, at 10:00 a.m. in the Commission Hearing Room and via videoconference. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-92, In the Matter of the Nebraska Public Service Commission, on PO #10 its own Motion, to administer the Nebraska Universal Service Fund Broadband Program. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter a reimbursement Order. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99.81 to In the Matter of the Nebraska Public Service
NUSF-99.117 Commission, on its own Motion, to Administer the Universal Service Fund High Cost-Program: Windstream Nebraska, Inc. Broadband Grant Requests: Crete FW Northeast RL05, Crete FW East RL06, Crete FW Extreme East RL07, Crete FW South RL09, Crete FW West RL11, Southwest Denton FW RL02, Southeast Denton FW RL04, Dorchester FW CO, Dorchester FW Southeast RL05, Milford FW Northwest RL01, Milford FW West RL02, Milford FW Southwest RL04, Milford FW Southeast RL06, Milford FW Northeast RL09, Palmyra FW CO, South Palmyra FW RL02, North Palmyra FW RL03, South Pleasant Dale FW

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RL03, North Pleasant Dale FW RL05, West Seward FW RL01, South Seward FW RL03, East Seward FW RL05, North Seward FW RL08, Northeast Seward FW RL09, East Waco FW RL01, South Waco FW RL02, Waverly FW Southeast RL04, Waverly FW Northwest RL06, North Waverly FW RL07, Wilber FW North RL01, Wilber FW West RL03, Wilber FW West RL06, York FW Northeast RL02, York FW South RL03, York FW Northeast RL04, York FW North RL05, and York FW West RL06. Commissioner Rhoades presiding as Hearing Officer. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order granting in part, denying in part. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades and Mary Ridder voting NAY.

- NUSF-99.129 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-cost Program: Qwest Corporation d/b/a CenturyLink QC Broadband Grant Request. Commissioner Rhoades presiding as Hearing Officer. Elkhorn 104-18 GPON project;
- NUSF-99.130 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-cost Program: Qwest Corporation d/b/a CenturyLink QC Broadband Grant Request. Commissioner Rhoades presiding as Hearing Officer. Elkhorn Edgewood project;
- NUSF-99.131 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-cost Program: Qwest Corporation d/b/a CenturyLink QC Broadband Grant Request. Commissioner Rhoades presiding as Hearing Officer. Elkhorn Rainwood project; and
- NUSF-99.132 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-cost Program: Qwest Corporation d/b/a CenturyLink QC Broadband Grant Request. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter Orders granting applications NUSF-99.129 (Elkhorn 104-18 GPON), NUSF-99.130 (Elkhorn Edgewood), NUSF-99.131 (Elkhorn Rainwood), and NUSF-99.132 (Ogallala 36-3 and 33-6 FTTN) projects. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE. Commissioner Rhoades presiding as Hearing Officer.

Cullen Robbins updated the Commission on late-August Outages.

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STATE 911 DEPARTMENT

911-002 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter an Order scheduling a Hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-018/
PI-117 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish audit requirements related to the Wireless Enhanced 911 Fund. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter an Order granting audit waiver requests. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.35 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: Burt County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier to enter an Order approving use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.68 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: Butler County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter an Order approving use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

FC-1369 In the Matter of the Heartland Natural Gas, LLC, Lincoln, Nebraska, v. Black Hills Nebraska Gas, LLC, Lincoln, Nebraska, regarding the Energy Options Program. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter a Notice of Assessment. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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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 #69. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-107 In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy for a deferred accounting order to record and preserve costs related to the Covid-19 pandemic; and

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. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter assessment orders NG-107/BA-9, NG-109/BA-7, BA-8 and BW-4. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

E-2479 In the Matter of the Application of Lincoln Electric System, Lincoln, Nebraska, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Nichole Mulcahy reported a total number of 10 consumer complaints and inquiries received at the Commission during the third quarter of 2020. For each company: Black Hills Energy - 1; NorthWestern - 0; Other Entities - 0 and BHE Rate Case - 9.

FC-1369 In the Matter of the Heartland Natural Gas, LLC, Lincoln, Nebraska, v. Black Hills Nebraska Gas, LLC, Lincoln, Nebraska, regarding the Energy Options Program. Nichole Mulcahy informed the Commissioners that an oral argument was set for November 9, 2020, at 1:30 p.m. in CHR and Zoom web conference.

TRANSPORTATION DEPARTMENT

TNC-2 In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order setting fee. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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MR-1023/ In the Matter of the Nebraska Public Service Commission, on
PI-234 its own motion, seeking to investigate the prescription of
reasonable rates and charges for regulated motor carriers
providing ground transportation for passengers at Eppley Airfield.
Motion made by Commissioner Tim Schram, seconded by Commissioner Dan
Watermeier, to enter an Order seeking comment and scheduling hearing.
Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary
Ridder, Tim Schram and Dan Watermeier voting AYE.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

MANF-13 In the Matter of the Commission, on its own motion, seeking
to determine the seal fee amount for the Manufactured Home
Program: Commissioner Rhoades presiding as Hearing
Officer;

MODF-14 In the Matter of the Commission, on its own motion, seeking
to determine the seal fee amount for the Modular Housing
Program: Commissioner Rhoades presiding as Hearing
Officer; and

RVF-14 In the Matter of the Commission, on its own motion, seeking
to determine the fees for the Recreational Vehicle Program:
Commissioner Rhoades presiding as Hearing Officer. Motion made by
Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson to
enter orders setting the fees for MANF-13, MODF-14, RVF-14. Motion
passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder,
Tim Schram and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve an offer of
an Intent to Award and to enter into a contract with a
vendor to provide Next Generation 911 Emergency Services Internet
Protocol Network and Core Services. Motion made by Commissioner Tim
Schram, seconded by Commissioner Rod Johnson.to approve the Notice of
Intent to Award and to contract for Next Generation 911 Emergency
Service. Motion passed with Commissioners Rod Johnson, Mary Ridder,
Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal
Rhoades voting NAY.

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 November
4, 2020 at 10:00 AM with an agenda to be available in the office of
the Executive Director at 10:00 AM on November 3, 2020.


Chair


Executive Director