

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published October 27, 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 November 4, 2020 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln and 4565 Shirley Street, Omaha, Nebraska.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:00 AM. with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier present in the Commission Hearing Room and Commissioner Rhoades present at 4565 Shirley Street, Omaha, Nebraska. Chair Ridder stated that a copy of the Nebraska Open Meetings Act is posted in the meeting rooms and invited the public to address the Commission. No public comments were received. No announcements were made.

Attention was called to the following proceedings:

Thursday, November 5, 2020:

911-002      Enhanced Wireless 911 Annual Surcharge - **Hearing**  
10:00 a.m. - Commission Hearing Room and via WebEx  
Commissioner Tim Schram - Hearing Officer

Monday, November 9, 2020:

FC-1369      Heartland Natural Gas v. Black Hills - **Oral Arguments**  
1:30 p.m. - Commission Hearing Room, Lincoln and, by remote  
access via Zoom or by telephone.  
Commissioner Rod Johnson - Hearing Officer

Monday, November 16, 2020:

B-1343      Denver Coach - Show Cause **Hearing**  
1:30-Commission Hearing Room, Lincoln

B-1794      Big O's Party Bus, LLC - Show Cause **Hearing**  
1:30-Commission Hearing Room, Lincoln

B-1880      Nebraska Taxi, LLC - Show Cause **Hearing**  
1:30-Commission Hearing Room, Lincoln

Tuesday, November 17, 2020:

**Commission Meeting**

10:00 a.m. - Commission Hearing Room

MR-1023/      OAA Ground Transportation Fee - **Hearing**  
PI-234      1:30 p.m. - Commission Hearing Room, Lincoln  
Commissioner Tim Schram - Hearing Officer

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## COMMUNICATIONS DEPARTMENT

C-5141 In the Matter of the Application of Sandra Sanford, Joseph Frink, Jonathan Hart, and Dylan and Brooke Hinrichs, Hastings, each seeking authority to receive telephone service from the Doniphan exchange of Hamilton Telephone Company. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order granting withdrawal of application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5170 In the Matter of the Application of Legacy Long Distance International, Inc., Cypress, California, seeking Approval to Assign its Existing Inmate Calling Services Contracts to Network Communications International Corp d/b/a NCIC Inmate Communications, Longview, Texas. 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-5172 In the Matter of the Application of MCI Communications Services, Inc., Greenwood Village, Colorado, seeking a name change to MCI Communications Services, LLC. Motion made by Commissioner Rod Johnson, 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.

C-5175 In the Matter of the Application of Glenwood Network Services, Inc., Blue Hill, seeking a waiver of the requirement of 291 Neb. Admin. Code § 5-002.06 regarding public pay stations. 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 that a request was received from Teleport Communications America LLC, on October 29, 2020, to override the denial by the Pooling Administrator for a single thousands-block of telephone numbers in the York rate center. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve sending a letter to the Pooling Administrator. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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AD-693r In the Matter of the Application of Amber Alert Child Consulting Foundation, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device. 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.

AD-694r In the Matter of the Application of Conquest Communications Group, Richmond, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Los Angeles, California. 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-5173 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 Sprint Communications Company LP, Overland Park, Kansas, previously approved in Docket C-3089. 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.

C-5174 In the Matter of the Application of Diller Telephone Company, Diller, Nebraska, seeking approval of a Traffic Exchange Agreement with New Cingular Wireless PSC, LLC, dba AT&T Mobility, Bedminster, New Jersey. 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.

NUSF-32.17 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure by certain telecommunications companies to comply with Commission Rules or Orders and to impose administrative fines. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order sustaining Show Cause. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NUSF-92, In the Matter of the Commission, on its own motion, seeking  
PO #10 to administer the Nebraska Universal Service Fund's  
Broadband Program: Motion made by Commissioner Tim Schram,  
seconded by Commissioner Dan Watermeier, to enter an Order extending  
program. 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: Commissioner Ridder presiding as  
Hearing Officer. Motion made by Commissioner Dan Watermeier, seconded  
by Commissioner Rod Johnson, to enter an Order adopting findings and  
initiate Challenge Process. Motion passed with Commissioners Rod  
Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier  
voting AYE.

Motion made by Commissioner Rod Johnson, seconded by  
Commissioner Tim Schram, to enter Reimbursement Orders for NUSF-99.14,  
NUSF-99.32 and NUSF-99.47. Motion passed with Commissioners Rod  
Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier  
voting AYE.

NUSF-99.14 In the Matter of the Nebraska Public Service Commission, on  
its own Motion, to administer the Universal Service Fund  
High-Cost Program: Windstream Nebraska Inc., Broadband  
Grant Request.

NUSF-99.32 In the Matter of the Nebraska Public Service Commission, on  
its own Motion, to administer the Universal Service Fund  
High-Cost Program: Windstream Nebraska Inc., Broadband  
Grant Request.

NUSF-99.47 In the Matter of the Nebraska Public Service Commission, on  
its own Motion, to administer the Universal Service Fund  
High-Cost Program: Windstream Nebraska Inc., Broadband  
Grant Request.

Motion made by Commissioner Dan Watermeier, seconded by  
Commissioner Rod Johnson, to enter Orders granting withdrawal of  
applications NUSF-99.123 and NUSF-99.124. Motion passed with  
Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram  
and Dan Watermeier voting AYE.

NUSF-99.123 In the Matter of the Nebraska Public Service  
Commission, on its own Motion, to administer the  
Universal Service Fund High-Cost Program: Windstream  
Nebraska, Inc., Broadband Grant Request.

NUSF-99.124 In the Matter of the Nebraska Public Service  
Commission, on its own Motion, to administer the  
Universal Service Fund High-Cost Program: Windstream  
Nebraska, Inc., Broadband Grant Request; and

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NUSF-108 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements. Commissioner Ridder presiding as Hearing Officer. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order authorizing support and initiating Challenge Process. 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.

Outages for October 2020							
Carrier	Area	Outage Date	Completion Date	Duration	Lines Affected	Primary Cause	Comments
Qwest Corporation	Fremont, Clarkson, Howells	Oct-01-20	Oct-02-20	1 d 0 h	428	Cable Cut	Toll Switch Isolation - Spliced fiber optic cable.
Qwest Corporation	Omaha	Oct-03-20	Oct-03-20	0 d 5 h	1029	Equipment	Switch not processing toll calls. Re-boot of switch fixed issue.
Qwest Corporation	Grand Island	Oct-03-20	Oct-03-20	0 d 3 h	2739	Equipment	Switch is not processing toll calls. Re-boot temporarily fixed issue; the event is being reviewed by NOC management.
Qwest Corporation	Grand Island	Oct-04-20	Oct-04-20	0 d 2 h	2739	Equipment	Switch is not processing toll calls. A defective card was replaced to restore service.
Hershey Coop. Tel. Co.	Hershey	Oct-04-20	Oct-04-20	0 d 1 h	434	Other	Experienced SS7 issues as well as multiple isolation events due to issues within the CenturyLink network. These three events affected all toll circuits as well as 911 circuits for all Hershey Telephone customers. CenturyLink stated that they experienced a card failure within one of their systems.
Consolidated Telephone Company	All of Consolidated Companies	Oct-04-20	Oct-04-20	0 d 1 h	3856	Other	E911 & Toll - CenturyLink trouble tickets VE026446 & DE24415
Nebraska Central Telephone Company	All exchanges	10/3/2020 & 10/4/2020	Oct-03-20	0 d 1 h - each	4300	Other	Both SS7 links from both of our host switches were down at the same time. We have host switches at Burwell and Gibbon. Our SS7 links are provisioned through CenturyLink. Then the outages began when the links from both of our switches to Minneapolis, Minnesota went down simultaneously. As a result both links from both of our switches were down at the same time.
Qwest Corporation	Grand Island	Oct-05-20	Oct-06-20	1 d 1 h	326	Damaged Cable	The power company cut the line when it was installing power to a customer. They had called in a locate request but USIC had not completed the locate on time. CenturyLink is charging USIC for the cost of the repair.
Qwest Corporation	Grand Island	Oct-05-20	Oct-05-20	0 d 2 h	2739	Equipment	Switch not processing toll calls. Card Trouble. Self Recovered.
Qwest Corporation	Scottsbluff	Oct-12-20	Oct-12-20	0 d 0 h	500	Equipment	Toll Switch Isolation, 911 - Trouble cleared before isolation.
Windstream Nebraska, Inc.	Lincoln	Oct-15-20	Oct-15-20	0 d 13 h	1135	Cable Cut	Services were impacted by an underground fiber cut on N 84th ST between College Park Rd and Hwy 34 (O ST). Construction boring damaged a live 68 fiber and a newer 144 fiber with no service. Windstream's contracted SSP dispatched, excavated the damage, and pulled 500ft of new cable for a permanent repair.
Qwest Corporation	Omaha	Oct-18-20	Oct-18-20	0 d 1 h	1027	Equipment	Switch not processing toll calls. Re-boot of switch fixed issue.
Qwest Corporation	Howells, Clarkson	Oct-20-20	Oct-20-20	0 d 13 h	272	Equipment	Switch not processing toll calls. Restored prior to isolation.

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## STATE 911 DEPARTMENT

911-042.23 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: Perkins County. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter an Order setting a Hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## 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 Rod Johnson, seconded by Commissioner Tim Schram, to enter an order issuing amended certificate of adoption. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Dan Watermeier voting AYE, and Commissioner Mary Ridder voting NAY.

## TRANSPORTATION DEPARTMENT

B-1343 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require Denver Coach, Inc., Scottsbluff, to show cause why its Certificate of Public Convenience and Necessity should not be revoked;

B-1794 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require Big O's Party Bus, LLC, Columbus, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. No Motion was made to enter an Order to show cause and set hearing; and

B-1880 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require Nebraska Taxi, LLC, Lexington, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order to show cause and schedule hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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B-1956 In the Matter of the Application of Lunjini Medical Transportation, LLC, LaVista, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in open class service between points in Douglas, Sarpy, Dodge, Madison, Lancaster, Gage, Hall, Adams, Red Willow, and Scotts Bluff counties, and 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 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.

MT-0002/  
PI-235 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate and implement changes to motor carrier regulation resulting from the passage of LB 461 [2020]. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order scheduling hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

MT-0003/  
PI-236 In the Matter of the Nebraska Public Service Commission, on its own motion, to establish interim policies for the implementation of LB 734 [2020] pending final rulemaking. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order opening docket and approving interim policies. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## GENERAL ADMINISTRATION

Executive Director's recommendation to enter into an Agreement for Public Advocate Services with the Blake Austin Law Firm, LLP, effective November 15, 2020 and ending on November 14, 2024. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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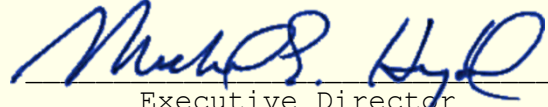
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The meeting adjourned at 10:37 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on November 17, 2020 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on November 16, 2020.

  
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Chair

  
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Executive Director