

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published December 1, 2020 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 8, 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 proceeding:

Tuesday, December 15, 2020:

Commission Meeting

10:00 a.m. - Commission Hearing Room

NG-109 Black Hills Energy - **Rate Case Workshop**
1:00 p.m. - Web Conference-Remote access to the meeting
will be available via Zoom or by telephone.
Commissioner Dan Watermeier - Hearing Officer

COMMUNICATIONS DEPARTMENT

C-5140 In the Matter of the Application of Leonard and Diana Rainforth, Doniphan, seeking authority to receive telephone service from the Doniphan exchange of Hamilton Telephone Company. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5179 In the Matter of the Application of ALLO Communications, LLC, Nelnet, Inc., Lincoln, Nebraska, and SDC Allo Holdings, LLC, New York, New York, seeking approval for Changes in the Controlling Interest in ALLO Communications, LLC, and for ALLO Communications, LLC, to issue Debt. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

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C-5181 In the Matter of the Application of Lingo Communications North, LLC, Irving, Texas seeking authority to withdraw its local exchange and interexchange certificates of authority and cancel its tariffs. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5182/
NUSF-121 In the Matter of the Application of Hamilton Long Distance Company, Aurora, Nebraska, seeking Designation as an Eligible Telecommunications Carrier in the State of Nebraska. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5183 In the Matter of the Application of Cable TV of Stanton, Inc., d/b/a Town and Country Technologies, Stanton, Nebraska, seeking authority to provide competitive local exchange telecommunications services within the State of Nebraska. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

Cullen Robbins sought Commission approval of a revision to the Communications Late-Filed Annual Report Policy. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to approve the revision. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

ADC-15 In the Matter of Cullen Robbins, Director of the Communications Department of the Nebraska Public Service Commission, Complainant, v. Remington Research Group and the Nebraska Republican Party, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order sustaining complaint. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

AD-695r In the Matter of Connectel, Inc., Truckee, California, seeking the authority to register the connection of automatic-dialing announcing device in Los Angeles, California; and

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AD-696r In the Matter of Connectel, Inc., Truckee, California, seeking the authority to register the connection of automatic-dialing announcing device in New York, New York. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders granting applications AD-695r and AD-696r. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5184 In the Matter of the Application of Cozad Telephone Company, Cozad, Nebraska, seeking approval of a Wireless Traffic Exchange Agreement with New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility, Dallas, Texas. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

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: Vonage Business, Inc. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram. Cullen Robbins sought Commission approval to grant Vonage Business, Inc., an audit extension to June 30, 2021, for the 2017 NUSF Remittance Audit. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

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: Granite Telecommunications. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Cullen Robbins sought Commission approval to grant Granite Telecommunications, LLC, an audit extension to January 31, 2021, for the 2019 NUSF Remittance Audit. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

NUSF-57.03 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Telehealth Program: Prairie Health Venture's request for consideration and approval of changes to the Nebraska Telehealth Network support mechanism: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting request. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

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NUSF-61.18 The Commission, seeking to review traffic studies to determine the appropriate percentage of assessable revenues subject to the Nebraska Universal Service Fund: United States Cellular Corporation's (U.S. Cellular), request for approval of traffic study. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order approving traffic study. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

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 Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order denying in part and granting in part, Motion for Partial Reconsideration and Clarification. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

Cullen Robbins sought Commission approval to extend additional 3-year terms for Ben Backus, Gene Hand and Gregg Ptacnik on the NUSF Advisory Board, otherwise expiring January, 2021. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

Cullen Robbins informed the Commission that the NPA Exhaust forecasts had been released by the Pooling Administrator. NPA 308 exhaust is projected beyond 30 years, and exhaust of NPA 402/531 is projected in 2049.

Cullen Robbins informed the Commission that Sprint is planning to run a Captioned Telephone (CapTel) PSA in December and January in the Lincoln, Hastings, Kearney, and North Platte television markets.

Cullen Robbins informed the Commission that the Rural Digital Opportunities Fund (RDOF) Reverse Auction has been completed by the FCC, and the results of the auction were recently released. 10 companies were awarded bids for areas in Nebraska.

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

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Carrier	Area	Outage Date	Completion Date	Duration	Lines Affected	Primary Cause	Comments
Northeast Nebraska Telephone Company	Allen, Winside, Dixon, Coleridge, Obertt, Newcastle, Martinsburg, Craig, Decatur, Clearwater	Nov-02-20	Nov-02-20	0 d 5 h	2,032	Cable Cut	The fiber was cut at 1:24 by Cedar Knox Public Power. It had been located. It is not clear where the blame lies at this point. It was all restored at 7:20.
Qwest Corporation	Pender and Laurel	Nov-13-20	Nov-14-20	0 d 9 h	800	Cable Cut	Fiber cut. Locates were completed, accurate, and on time. A fiber contractor cut through our fiber cable, contacted us and said they would correct their mistake. The contractor completed the repair - CenturyLink will fill out a damage claim, but will not charge the contractor since they repaired the cut themselves.

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 setting the surcharge for the calendar year 2021. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

911-042.02 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: Dodge County. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson to enter an Order approving use of set-aside funding to purchase GIS services. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

911-042.09 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 McCook;

911-042.39 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: Cass County, and

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911-042.56 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: York County. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson to enter an Order approving use of set-aside funds to purchase or upgrade logging recorders for Dockets 911-042.09, 911-042.39, and 911-042.56. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

911-042.43 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: Cedar County. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier to enter an Order approving use of set-aside funds to purchase call handling equipment. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

911-042.70 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: Franklin County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter an Order approving use of set-aside funds to purchase an emergency generator. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

911-060.16 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: Cheyenne County, and

911-060.63 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: Scotts Bluff County. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter an Order approving funding for text-to-911. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

NATURAL GAS DEPARTMENT

E-2480 In the Matter of the Application of Lincoln Electric

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System, Lincoln, Nebraska, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

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. Nichole Mulcahy informed the Commission that the technical conference set for December 10th was cancelled and the formal hearing on December 15th was changed to a workshop.

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; 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 Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Orders sustaining show cause and revoking Certificate B-1880 and B-1343. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

B-1909 In the Matter of the Nebraska Public Service Commission, on its own motion, to require Bus at the Yard, d/b/a Luxury Limousine, Lincoln, to show cause why the Commission should not revoke its Certificate of Public Convenience and Necessity. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order dismissing show cause, in part. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

BR-600/
B-2018 In the Matter of the Application of Compassion Care Senior Services, LLC d/b/a Compassion Care Medical Transport, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3.

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Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting rates. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

BR-602/ In the Matter of Careem Transportation, LLC, Omaha, seeking
B-1948 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 granting rates on an emergency basis. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve the 2021 Schedule of Commission Meetings. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

Executive Director's recommendation to approve a 2 year renewal of the contract with Bates White, LLC, for natural gas consulting services. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

The meeting adjourned at 10:42 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on December 15, 2020 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on December 14, 2020.



Chair



Executive Director