

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published April 20, 2021 on page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on April 27, 2021 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Dan Watermeier 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 Watermeier 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, April 27, 2021:

R&R 204 Motor Carrier Rules on LB 734 [2020] - **Hearing**
1:30 p.m. via WebEx
Commissioner Rod Johnson - Hearing Officer

Wednesday, April 28, 2021:

C-5199/
NUSF-124 AMG Technology Investment Group, LLC, d/b/a
NextLink Internet, seeking ETC status - **Hearing**
10:00 a.m. - Commission Hearing Room and via WebEx
Commissioner Crystal Rhoades - Hearing Officer

Tuesday, May 4, 2021:

MCC-3196.03: Annual Renewal Complaint - **Hearing**
10:00 a.m. in the Commission Hearing Room and WebEx
Commissioner Dan Watermeier - Hearing Officer

Tuesday, May 4, 2021:

Schedule "A"
and "E" Rates for Public Grain Warehouse for the
2021-2022 storage year - **Hearing**
1:30 p.m. via WebEx
Commissioner Tim Schram - Hearing Officer

Tuesday, May 11, 2021:

Commission Meeting

10:00 a.m. - Commission Hearing Room

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COMMUNICATIONS DEPARTMENT

C-5215/ NUSF-125 In the Matter of the Application of Hamilton Telephone Company, Aurora, seeking Modifications to its designation as an Eligible Telecommunications Carrier and a Nebraska Eligible Telecommunications Carrier in an expanded service area. 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.

C-5220 In the Matter of the Application of Nebraska Central Telephone Company, Gibbon, seeking a waiver of the requirement of 291 Neb. Admn. Code § 5-002.06 regarding public pay stations. Motion made by Commissioner Mary Ridder, 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-5221 In the Matter of the Application of Robert Bohlken, Wymore, seeking authority to receive advanced telecommunications capability service from the Oketo Exchange of Blue Valley Telecommunications, Inc. 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.

C-5222 In the Matter of the Joint Application of Clear Rate Holdings, Inc., Atlanta, Georgia, and Clear Rate Communications, Inc., Troy, Michigan, seeking approval of a transfer of control, and seeking authority to obtain debt financing. Motion made by Commissioner Mary Ridder, 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-5223 In the Matter of the Application of Sprint Communications Company, L.P., Bellevue, Washington, seeking authority to withdraw its local exchange and interexchange certificates of authority and cancel its tariffs. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder to enter an Order granting withdrawal. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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- C-5218 In the Matter of the Application of Arapahoe Telephone Company, Arapahoe, Nebraska, seeking approval of an interconnection agreement with Bandwidth.com CLEC, LLC, Raleigh, North Carolina; and
- C-5219 In the Matter of the Application of Nebraska Central Telephone Company, Gibbon, Nebraska, seeking approval of an Interconnection Agreement with Bandwidth.com CLEC, LLC, Raleigh, North Carolina. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder to enter Orders approving applications C-5218 and C-5219. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.
- C-5225 In the Matter of the Application of Blair Telephone Company, Blair, Nebraska, seeking approval of an Interconnection Agreement with Midstates Data Transport, 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-61.19 In the Matter of the Nebraska Public Service Commission, to review traffic studies to determine the appropriate percentage of assessable revenues subject to the Nebraska Universal Service Fund: MetroPCS Michigan, LLC's request for approval of Traffic Study. Motion made by Commissioner Mary Ridder, 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.
- NUSF-92.53 In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: application to the Nebraska Broadband Program received from: United States Cellular Corporation. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder to enter an Order approving tower relocation. 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 #6 its own Motion, to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder to enter an Order opening docket and seeking Comments, due May 28, 2021, with Reply Comments due June 18, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NUSF Late-Filed Carrier Remittances: Crexendo Business Solutions, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to open an NUSF Remittance Complaint against Crexendo Business Solutions, Inc. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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 Mary Ridder, seconded by Commissioner Tim Schram, to enter Progression order #71. 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; and

NG-111/
PI-237 In the Matter of the Commission, on its own motion, seeking to investigate the effect of the February 2021 cold weather event upon the cost of gas supply purchased by Nebraska gas utilities. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter assessment orders NG-109/BA-19 and NG-111/PI-237/BA-1. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

E-2486 In the Matter of the Application of Nebraska Public Power District, Columbus, Nebraska, seeking authority to construct, operate and maintain an electric transmission line in Sherman County;

E-2487 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; and

E-2488 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 Mary Ridder, seconded by Commissioner Tim Schram, to enter orders granting the applications E-2486, E-2487 and E-2488. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Nichole Mulcahy reported a total number of 11 consumer complaints and inquiries received at the Commission during the first quarter of 2021. For each company: Black Hills Energy - 5; NorthWestern - 5; and Other Entities - 1.

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LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-2002 In the Matter of the Application of Oceans Enterprise, LLC d/b/a Oceans Drive Transportation, Omaha, seeking to amend its Certificate of Public Convenience and Necessity by the removal of restriction on number of vehicles and operating radius within Cass, Douglas, Dodge, Washington, and Sarpy counties. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

M-14249 In the Matter of the Application of CrossCountry Courier, Inc. d/b/a CrossCountry Freight Solutions, Inc., Bismark, North Dakota, seeking to acquire through transfer the authority as a common carrier in Nebraska Intrastate commerce granted to Nebraska Transport Co., Inc., Scottsbluff, in Certificate M-11257 and supplements thereto, Applicant seeks temporary operating authority. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order granting application and cancelling Certificate M-11257. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GD-3045 In the Matter of the Application of Morrill Elevator, Inc., Morrill, Kansas, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2018). Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder to enter an order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

The meeting adjourned at 10:34 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on May 11, 2021 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on May 10, 2021.

Chair


Executive Director