

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

May 25, 2021

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Notice was duly published May 18, 2021 on page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on May 25, 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, Mary Ridder, and Dan Watermeier present in the Commission Hearing Room, Commissioner Crystal Rhoades present virtually, and Commissioner Tim Schram excused. 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:

Wednesday, May 26, 2021:

T-4 KozGo Inc. Application- **Hearing**
1:30 p.m. - Commission Hearing Room and via WebEx
Commissioner Mary Ridder - Hearing Officer

Tuesday, June 08, 2021:

Commission Meeting

10:00 a.m. - Commission Hearing Room

COMMUNICATIONS DEPARTMENT

C-4459/ In the Matter of the Nebraska Public Service Commission, on
PI-185 its own Motion, to investigate and monitor compliance with
 federally mandated intercarrier compensation reform. Motion
made by Commissioner Rod Johnson, seconded by Commissioner Mary
Ridder, to enter an Order closing docket. Motion passed with
Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan
Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

C-5199/ In the Matter of the Application of AMG Technology
NUSF-124 Investment Group, LLC d/b/a NextLink Internet, Hudson Oaks,
 Texas, seeking expansion of its Eligible telecommunications
Carrier designation in the State of Nebraska. Motion made by
Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to
enter an Order granting ETC application. Motion passed with
Commissioners Rod Johnson, Mary Ridder and Dan Watermeier voting AYE,
Commissioner Crystal Rhoades voting NAY, and Commissioner Tim Schram
excused not voting.

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C-5226/
NUSF-127 In the Matter of the Application of Cable One VoIP LLC,
Phoenix, Arizona, seeking designation as Eligible
Telecommunications Carrier in the State of Nebraska. Motion
made by Commissioner Rod Johnson, seconded by Commissioner Mary
Ridder, to enter an Order granting ETC application. Motion passed with
Commissioners Rod Johnson, Mary Ridder and Dan Watermeier voting AYE,
Commissioner Crystal Rhoades voting NAY, and Commissioner Tim Schram
excused not voting.

C-5227/
NUSF-128 In the Matter of the Application of Windstream
Communications, LLC, Lincoln, Nebraska, seeking designation
as an Eligible Telecommunications Carrier in the State of
Nebraska. Motion made by Commissioner Rod Johnson, seconded by
Commissioner Mary Ridder, to enter an Order granting ETC application.
Motion passed with Commissioners Rod Johnson, Mary Ridder and Dan
Watermeier voting AYE, Commissioner Crystal Rhoades present not
voting, and Commissioner Tim Schram excused not voting.

C-5231 In the Matter of the Application of Cable One VoIP, LLC,
Phoenix, Arizona, seeking authority to operate as a local
exchange and interexchange carrier of telecommunication services
within the State of Nebraska. Motion made by Commissioner Mary Ridder,
seconded by Commissioner Rod Johnson, to enter an Order granting
application. Motion passed with Commissioners Rod Johnson, Mary Ridder
and Dan Watermeier voting AYE, Commissioner Crystal Rhoades voting
NAY, and Commissioner Tim Schram excused not voting.

C-5233/
NUSF-129 In the Matter of the Application of Skywave Wireless, Inc.,
West Point, Nebraska, seeking designation as an Eligible
Telecommunications Carrier in the State of Nebraska. Motion
made by Commissioner Mary Ridder, seconded by Commissioner Rod
Johnson, to enter an Order granting ETC application. Motion passed
with Commissioners Rod Johnson, Mary Ridder and Dan Watermeier voting
AYE, Commissioner Crystal Rhoades voting NAY, and Commissioner Tim
Schram excused not voting.

C-5234 In the Matter of the Application of Qwest Corporation dba
CenturyLink QC, Denver, Colorado, seeking approval of an
FCC Modernizing Unbundling and Resale Requirements
Amendment to its Interconnection Agreement with Wide Voice,
LLC, Las Vegas, Nevada; and

C-5235 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 Wide Voice, LLC, Las Vegas, Nevada. Motion
made by Commissioner Rod Johnson, seconded by Commissioner Mary
Ridder, to enter Orders granting applications C-5234 and C-5235.
Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary
Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram
excused not voting.

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NUSF-37.391 In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant v. Crexendo Business Solutions, Inc., Respondent. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order dismissing Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Spiral Communications, LLC. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to amend the current Complaint NUSF-37.392, due to a clerical error. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

NATURAL GAS DEPARTMENT

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

NG-111 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.

NG-111.1 Black Hills Nebraska Gas, LLC. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order approving the recovery plan. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

NG-101 In the Matter of the Commission, on its own motion, opening an investigatory docket for the purpose of general monitoring of issues regarding the natural gas industry and jurisdictional utilities in Nebraska.

NG-101.1 Black Hills/Nebraska Gas Utility Company, LLC, and Black Hills Gas Distribution, LLC, d/b/a Black Hills Energy; 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;

NG-111 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.

NG-111.1 Black Hills Nebraska Gas, LLC; and

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NG-111.2 NorthWestern Corporation d/b/a NorthWestern Energy. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter assessment orders NG-101.1/BA-15, NG-109/BA-20, NG-109/BA-21, NG-111.1/BA-2, NG-111.2/BA-3 and NG-111.1/BA-4. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

RULES AND REGULATIONS

R&R 204 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to amend Title 291, Chapter 3, Motor Carrier Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 734 [2020]. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an Order Issuing Certificate of Adoption and Adopting Second Set of Proposed Rules. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1463 In the Matter of the Application of Siouxland Paramedics, Inc., Sioux City, Iowa, seeking cancellation and revocation of its Certificate of Public Convenience and Necessity issued in Docket B-1463. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an Order cancelling Certificate No. B-1463. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

B-2025 In the Matter of the Application of FADI, LLC, Bennington, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by sedan and van in open class service between points in Douglas, Dodge, Sarpy, Washington, and Cass counties, and between said counties, over irregular routes. RESTRICTIONS: HHS Designation: No. 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 and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

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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 Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order to prescribe transition process and guidance for Household Goods Movers. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

T-4 In the Matter of the Application of KozGo Inc., Omaha, seeking authority to operate as a transportation network company in the State of Nebraska. Jamie Reyes reports that Commissioner Mary Ridder entered a Hearing Officer Order scheduling hearing in this application for Wednesday, May 26, 2021 in the Commission Hearing Room and via WebEx.

BR-599/
B-2021 In the Matter of the Application of Dillard-Lewis, Inc., d/b/a Highland Express Shuttle Service, Raleigh, North Carolina, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3;

LR-362/
B-2020 In the Matter of Limousine Gonzalez, LLC, Waco, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3; and

TR-220/
B-1433 In the Matter of the Application of B.J.Z., Inc. d/b/a Checker Cab Company, Norfolk, 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 Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter Orders granting rates in dockets BR-599/B-2021, LR-362/B-2020, and TR-220/B-1433. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

GRAIN WAREHOUSE DEPARTMENT

Schedule In the Matter of the Commission, on its own motion, seeking "A" & " E" to determine reasonable A and E storage rates and charges Rates for Public Grain Warehouses for the 2021-2022 storage year. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an order setting Schedule "A" and "E" storage rates for the 2021-2022 storage year. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Dan Watermeier voting AYE, and Commissioner Tim Schram excused not voting.

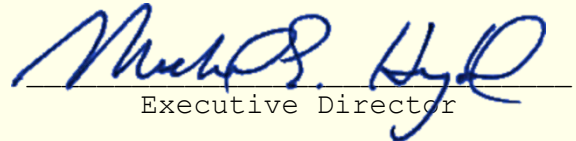
GW-1112 In the Matter of Osmond Farm Supply Center, Inc., Osmond, Nebraska. Terri Fritz reported the grain warehouse cancellation on May 1, 2021.

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The meeting adjourned at 10:24 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, and Dan Watermeier present and Commissioner Tim Schram excused. The next regularly scheduled meeting will be held on June 8, 2021 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on June 7, 2021.

Chair



Executive Director