

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published July 6, 2021 on page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on July 13, 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, Tim Schram and Dan Watermeier present and Commissioner Crystal Rhoades, 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, July 14, 2021:

Enhanced Wireless 911 **Advisory Board Meeting**
10:00 a.m. Commission Hearing Room and
via 911 Department WebEx link

Tuesday, July 27, 2021:

Commission Meeting
10:00 a.m. Commission Hearing Room

Tuesday, July 27, 2021:

MR-1025/PI-238 Passenger Carrier Differential Rates- Hearing
11:00 Commission Hearing Room, Lincoln
Commissioner Tim Schram - Hearing Officer

Tuesday, July 27, 2021:

NG-101.1/ Black Hills Energy - **Quarterly Status Meeting**
PI-224 2:00 p.m. - Commission Hearing Room - Remote access
to the meeting will be available via Webex.
Commissioner Rod Johnson - Hearing Officer

COMMUNICATIONS DEPARTMENT

C-5236/ In the Matter of the Nebraska Public Service Commission
DC-99 regarding the 2020 Annual Report Filings. Motion made by
Commissioner Tim Schram, seconded by Commissioner Rod
Johnson, to enter an Order dismissing Complaint, in part. 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-5266 In the Matter of the Application of Robert Hans and Justin Hans, Wynot, Nebraska, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartelco. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an Order granting application. Motion passed with Commissioners Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5273 In the Matter of the Application of Windstream Nebraska, Inc., Lincoln, seeking a waiver of the requirement of 291 Neb. Admin. 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, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5275 In the Matter of the Application of Mark Goeden, Hartington, Nebraska, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartelco. 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, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

C-5263 In the Matter of the Applications of Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska, Mound, Minnesota, seeking approval of an Unbundled Network Element and Resale Forbearance Amendment to their Interconnection Agreement with CenturyLink Communications, LLC, Overland Park, Kansas. Motion made by Commissioner Tim Schram, 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.

C-5267 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 InTTEc, Inc., Gillette, Wyoming. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, 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.

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- C-5268 In the Matter of the Application of Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska, Mound, Minnesota, seeking approval of an Amendment to their Interconnection Agreement with Onvoy, LLC, Chicago, Illinois. Motion made by Commissioner Mary Ridder, 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.
- C-5269 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 Entelegent Solutions, Inc., Charlotte, North Carolina;
- C-5270 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an Unbundled Network Elements and Resale Forbearance Amendment to their Interconnection Agreement with MCImetro Access Transmission Services, LLC, Basking Ridge, New Jersey;
- C-5271 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 MCImetro Access Transmission Services LLC, Basking Ridge, New Jersey;
- C-5274 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 BullsEye Telecom, Inc., Southfield, Michigan; and
- C-5276 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 Mobius Communications Company, Hemingford, Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders approving applications C-5269, C-5270, C-5271, C-5274 and C-5276. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: BetterWorld Telecom, LLC. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, that a Complaint be opened against BetterWorld Telecom, LLC. 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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Cullen Robbins informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month.

Outages for June 2021							
Carrier	Area	Outage Date	Completion Date	Duration	Lines Affected	Primary Cause	Comments
Qwest Corporation	Lexington	Jun-03-21	Jun-04-21	1 d 3 h	175	Cable Cut	Copper Cable was repaired.
Qwest Corporation	West Point	Jun-07-21	Jun-08-21	1 d 7 h	308	Other	A contractor doing a road widening project in West Point bored through the cable. Locates were timely and accurate. The contractor repaired the lines, so no damage claims were made.
Qwest Corporation	Valentine	Jun-08-21	Jun-08-21	0 d 4 h	1296	Equipment	Defective multiplexer card impacted toll. Service restored when defective multiplexer card replaced.
Northeast Nebraska Tel. Co.	Bartlett	Jun-09-21	Jun-10-21	0 d 8 h	300	Damaged Cable	Bad Section of Cable has been repaired.
Windstream Nebraska, Inc.	Murray	Jun-11-21	Jun-11-21	0 d 2 h	543	Other	Planned maintenance was performed to relocate fiber for a road move project on 12th Ave., Union, NE impacting DMS100 remotes in Murray, NE. Service restored when the maintenace splice procedure completed.
Windstream Nebraska, Inc.	Lincoln	Jun-14-21	Jun-14-21	0 d 2 h	675	Equipment	Equipment issue led to 675 voice lines down. Remotes auto-recovered before root cause isolation.
K & M Telephone Company, Inc.	Chambers	Jun-14-21	Jun-14-21	0 d 3 h	70	Other	Intermittant outage for 70 customers.
Qwest Corporation	Omaha	Jun-15-21	Jun-17-21	2 d 8 h	124	Damaged Cable	Wet copper lines caused outage. Cable was dug up, dried, and placed in conduit
Qwest Corporation	Omaha	Jun-27-21	Jun-28-21	1 d h	177	Damaged Cable	Cable was hit after landscaping company didn't request locate refresh. Seeking damages from landscaping company
Northeast Nebraska Tel. Co.	Bartlett & Clearwater	Jun-30-21	Jun-30-21	0 d 0 h	300	Damaged Cable	Made permanent repairs to fiber cable previously damaged by gopher. Damaged section of fiber has been replaced, all services restored.

NATURAL GAS DEPARTMENT

NG-111.1/ In the Matter of the Commission, on its own motion, seeking
 BA-5 to investigate the effect of the February 2021 cold weather event upon the cost of gas supply purchased by Nebraska gas utilities. Black Hills Nebraska Gas, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter a nunc pro tunc order. 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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- E-2489 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;
- E-2490 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 Scotts Bluff County; and
- E-2491 In the Matter of the Application of Nebraska Public Power District, Columbus, Nebraska, seeking authority to construct, operate and maintain electric transmission lines in Hamilton, Merrick and Polk Counties. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter orders granting the applications E-2489, E-2490 and E-2491. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

RULES AND REGULATIONS

R&R 206 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 461 [2020]. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an Order Releasing Second Set of Proposed Rules for Comment and Scheduling Hearing. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

TRANSPORTATION DEPARTMENT

B-2030 In the Matter of the Application of Pride Ridge Home Care, LLC d/b/a Pride Ridge Medical Transport, Bellevue, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by sedan and van between points in Cass, Douglas and Sarpy counties, and between said counties, over irregular routes. HHS Designation: Yes. 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.

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 granting household goods mover license transition requests. 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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MR-930 In the Matter of the Prescription of Reasonable Rates and Charges for Motor Carriers of Passengers and Property for Hire Subject to the provisions of R.R.S. 1943, and in particular Chapter 75, Articles 1 and 3. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order closing docket. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

MR-1009/
PI-70 In the Matter of the Nebraska Public Service Commission, on its own motion, initiating an investigation on range uniformity in the Official Intracity Household Goods Tariff 22, and to develop procedures for efficiently processing household goods mover tariff amendments;

MR-1021/
PI-210 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the efficacy of the Official Household Goods Tariff 7F and Official Intracity Household Goods Tariff 22 and evaluate potential changes to the tariff system; and

MR-1022/
PI-216 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate and establish reasonable rates and charges for Household Goods Movers pursuant to the Official Household Goods Tariff 7F and Official Intracity Household Goods Tariff 22. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter Order closing dockets MR-1009/PI-70, MR-1021/PI-210, and MR-1022/PI-216. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades excused not voting.

GRAIN WAREHOUSE DEPARTMENT

GD-3048 In the Matter of the Application of Poet Grain, LLC, Wichita, Kansas, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (reissue 2018). 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.

GENERAL ADMINISTRATION

PI-231 In the Matter of the Commission, on its own motion, responding to the COVID-19 state of emergency. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder to enter an Order Closing Docket. 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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Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to authorize Commissioner Crystal Rhoades to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Summer Policy Summit from July 18, 2021 to July 22, 2021, in Denver, Colorado, with hotel expenses to be reimbursed by NARUC and the remaining expenses to be paid by the Commission. 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 10:45 AM with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier present and Commissioner Crystal Rhoades excused. The next regularly scheduled meeting will be held on July 27, 2021 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on July 26, 2021.

Chair



Executive Director