

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

November 2, 2021

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Notice was duly published October 26, 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 November 2, 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 in the Commission Hearing Room and Commissioner Crystal Rhoades present via Webex. 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, November 2, 2021:

1:30 PM **Hearing**

B-1997

Richwood Enterprises dba Richwood Transport

Commission Hearing Room and WebEx

Hearing Officer: Tim Schram

Wednesday, November 3, 2021

1:30 PM MT **HEARING** **(*Continued to a date later to be determined)**

FC-1370

Formal Complaint - Platte Valley Financial Services

Companies, Inc./CenturyLink Communications, LLC

North Platte Natural Resources District

100547 Airport Rd., Scottsbluff, NE 69361 and via WebEx

Hearing Officer: Commissioner Mary Ridder

Tuesday, November 16, 2021:

Commission Meeting

10:00 a.m. - Commission Hearing Room

COMMUNICATIONS DEPARTMENT

C-5325 In the Matter of the Application of Elsie Communications, Inc., Bedford, New Hampshire, seeking authority to change its name to Elsie Telecommunications, LLC. 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.

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C-5334 In the Matter of the Application of Consolidated Telecom, Inc., Lincoln, Nebraska, 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 approving waiver. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TRS-23 In the Matter of Cullen Robbins, Director of the Communications Department of the Nebraska Public Service Commission, Complainant, v. Dish Wireless, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order dismissing the Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-33 In the Matter of the Commission, on its own motion, seeking to investigate the audit requirements related to the Nebraska Universal Service Fund. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order approving and denying NUSF Remittance Audit Waivers. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-92.56 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: NE Colorado Cellular, Inc., d/b/a Viaero Wireless. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Spiral Communications, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, that a Complaint be opened against Spiral Communications, LLC. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

FC-1370 In the Matter of the Platte Valley Financial Service Companies, Inc., and Affiliates, Scottsbluff, Nebraska, v. CenturyLink Communications, LLC, Omaha, Nebraska, alleging failure to provide adequate access to quality communications services. Cullen Robbins discussed the Hearing Officer's Order entered October 28, 2021, continuing the November 3, 2021, Hearing to a date later to be determined.

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

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Outages for October 2021							
Carrier	Area	Outage Date	Completion Date	Duration	Lines Affected	Primary Cause	Comments
Windstream Nebraska, Inc.	Omaha	Oct-05-21	Oct-05-21	0 d 8 h	101	Equipment	Switch in Omaha, NE is toll isolated with 911 impacted. An Alcatel-Lucent 1648 SMX OC48 was isolated in Omaha causing toll isolation and 911 impacted for the Omaha DMS100 switch. The Omaha to Sioux Falls, SD leg auto-recovered and restored service. The Omaha to Des Moines, IA leg recovered when a Ciena 6500 PKOTN card was physically reseated and restored duplex.
Qwest Corporation	Grand Island	Oct-08-21		d h	161	Damaged Cable	CenturyLink is working to replace a cable that causes customer impacts during and after hard rainstorms. Customers continue to be in service except during the time the cable is wet. The cable only gets wet in extremely hard rains because it is underground and somewhat protected. It appears the cable was somehow impacted during a road move over the summer. CenturyLink's Engineering group has suggested a solution that is currently being reviewed internally. I do not yet have a date for approval or completion.
Northeast Nebraska Telephone Company	Allen, Winside, Dixon/Concord, Coleridge, Obert/Maskell, Newcastle, Martinsburg, Craig, Decatur, Clearwater, Bartlett.	Oct-08-21	Oct-08-21	0 d 18 h	2000	Equipment	Router issue in Coleridge
Glenwood Tel. Mem. Corp.	Larence & Bladen	Oct-13-21	Oct-13-21	0 d 1 h	445	Equipment	Equipment failure in the Bladen Central Office. Reset Calix E7 network card in the Bladen central office.
Glenwood Tel. Mem. Corp.	Blue Hill, Bladen, Upland, Campbell	Oct-18-21	Oct-18-21	0 d 2 h	950	Equipment	E911 service only for Blue Hill, Bladen, Upland and Campbell exchanges. Voice services were not interrupted except to 911 PSAP located in Campbell. The 911 trunk was rerouted at 10:00 am so that calls could be completed. Reboot of the network card in Campbell and Blue Hill and service was restored and routed back to Blue Hill at 11:45 am.
Qwest Corporation	Morrill	Oct-22-21	Oct-22-21	0 d 15 h	392	Equipment	Switch Not Processing toll calls
Qwest Corporation	Omaha	Oct-23-21		d h	109	Cable Cut	
Glenwood Tel. Mem. Corp.	Holdrege & Funk	Oct-22-21	Oct-22-21	0 d 4 h	437	Other	CenturyLink Network Outage

STATE 911 DEPARTMENT

911-042.03 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: Clay County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder to enter an Order approving the use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.46 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 Wayne to enter an Order approving the use of set-aside funds and;

911-042.55 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: Howard County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter an approving the use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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911-060 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for costs to implement text to 911 solutions: Keith County, Furnas County, and Howard County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an Order extending the approval of funding for text-to-911 service. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

E-2495 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 Rod Johnson. to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-111.4 In the Matter of NorthWestern Energy, Sioux Falls, South Dakota, seeking to modify its tariff due to the February 2021 cold weather event and establish a surcharge for commercial sales customers who convert to transportation service. Nichole Mulcahy informed the Commission a hearing officer order was entered setting the procedural schedule and notice of hearing on November 30th at 1:30pm in the Commission Hearing Room.

TRANSPORTATION DEPARTMENT

B-1714.01 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require Caring People Sudan, Omaha, to show cause why its Permit of Authority should not be revoked. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, 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.

B-2004 In the Matter of the Application of LaToya Prince Ventures, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in open class service between all points in Nebraska over irregular routes pursuant to a contract with the Nebraska Department of Health and Human Services, a Medicaid-managed care organization under contract with NDHHS, or another agent working on behalf of NDHHS. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order dismissing application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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B-2005.01 In the Matter of the Nebraska Public Service Commission, on its own motion, to require Extreme Nightlife, LLC, Lincoln, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, 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.

B-1802.01r In the Matter of the Application of Camelot Transportation, Inc., Kearney, 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 Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order granting rates on an emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1976.01r In the Matter of the Application of The Beautiful Life Family Home Care LLC d/b/a Beautiful Life Medical Transport, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3; and

B-1998.01r In the Matter of the Application of Mike's Transportation Services LLC, Lincoln, 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 Tim Schram, seconded by Commissioner Mary Ridder, to enter Orders B-1976.01r and B-1998.01r granting rates on an emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2018.03r 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. 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, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TNC-2 In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order setting fee. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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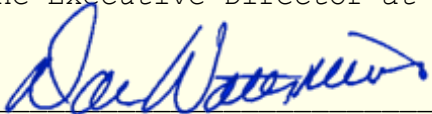
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GENERAL ADMINISTRATION

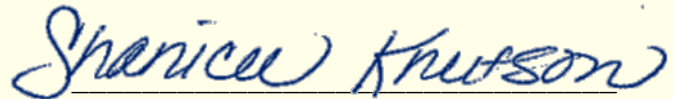
Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to approve Commissioner Crystal Rhoades to travel to and attend the 2021 National Association of Regulatory Utility Commissioners' (NARUC) Annual Meeting and Education Conference, from November 7 through November 10, 2021, in Louisville, Kentucky, with all 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 present not voting.

Motion made by Commissioner Crystal Rhoades to hire Terri Fritz as Grain Department Director. No Second was made.

The meeting adjourned at 10:26 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 16, 2021 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on November 15, 2021.



Chair



Deputy Director