

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

December 14, 2021

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Notice was duly published December 10, 2021 on 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on December 14, 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 10:01 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.

Chair Watermeier introduced Thomas Golden as the Commission's new Executive Director.

No public comments were received.

Attention was called to the following proceedings:

Wednesday, December 15, 2021:

9:30 AM     **Hearing**  
B-1994.01 SNP Consulting Services, LLC  
Commission Hearing Room and WebEx  
Hearing Officer: Commissioner Tim Schram

Tuesday, January 4, 2022:

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

COMMUNICATIONS DEPARTMENT

C-5350     In the Matter of the Application of Stratus Networks, Inc., Peoria Heights, Illinois, seeking authority to withdraw its local and interexchange certificates of authority and cancel its tariff. 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.

C-5256/  
NUSF-130     In the Matter of the Application of LTD Broadband LLC, Las Vegas, Nevada, seeking designation as an Eligible Telecommunications Carrier in the State of Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order denying application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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AD-703r In the Matter of the Application of Victory Phones, LLC, Grand Rapids, Michigan, seeking authority to register the connection of an automatic dialing-announcing device; and

AD-704r In the Matter of the Application of Victory Processing, LLC, Grand Rapids, Michigan, seeking authority to register the connection of an automatic dialing-announcing device. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter Orders approving applications AD-703r and AD-704r. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5342 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 its Interconnection Agreement with Level 3 Communications, LLC, Overland Park, Kansas. Motion made by Commissioner Rod Johnson, 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.

C-5346 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a Third Party Transit Provider Amendment to its Interconnection Agreement with Dish Wireless, LLC, Littleton, Colorado. 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.

C-5347 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an Interconnection Agreement with Dish Wireless, LLC, Littleton, Colorado; and

C-5348 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of a Third Party Transit Provider Amendment to its Interconnection Agreement with Dish Wireless, LLC, Littleton, Colorado. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter Orders approving applications C-5347 and C-5348. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5349 In the Matter of the Application of Northeast Nebraska Telephone Company, Jackson, Nebraska, seeking approval of an Interconnection Agreement with Teleport Communications America, LLC, Bedminster, New Jersey. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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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: Greenfly Networks, Inc. dba Clearly Communications. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to grant Clearly Communications' extension request to March 1, 2022, for the NUSF remittance audit, otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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: ComTech21, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to grant ComTech21, LLC's extension request to March 21, 2022, for the NUSF remittance audit, otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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: Matrix Telecom, LLC. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to grant Matrix Telecom's extension request to February 28, 2022, for the NUSF remittance audit, otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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: Google North America, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to grant Google North America, Inc.'s extension request to March 31, 2022, for the NUSF remittance audit, otherwise due December 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-61.20 In the Matter of the Commission, seeking to review traffic studies to determine the appropriate percentage of assessable revenues subject to the Nebraska Universal Service Fund: Consumer Cellular, Inc., request for approval of traffic study. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order approving traffic study. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NUSF-113/ In the Matter of the Nebraska Public Service Commission, on  
PI-220 its own Motion, seeking to determine contribution  
requirements relative to Prepaid Wireless Providers. Motion  
made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram,  
to enter an Order closing docket. Motion passed with Commissioners Rod  
Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier  
voting AYE.

## NATURAL GAS DEPARTMENT

NG-111.3 In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black  
Hills Energy, Rapid City, South Dakota, seeking to modify  
its tariff due to the February 2021 cold weather event, and implement  
a conversion fee for commercial sales customers who convert to  
transportation service. Motion made by Commissioner Tim Schram,  
seconded by Commissioner Mary Ridder, to enter an order. 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. Motion made by  
Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to  
enter an order. Motion passed with Commissioners Rod Johnson, Crystal  
Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-112.1 In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black  
Hills Energy, Rapid City, South Dakota, seeking approval of  
a 2022 System Safety and Integrity Rider. Motion made by Commissioner  
Mary Ridder, seconded by Commissioner Tim Schram, to enter an order.  
Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary  
Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-111.1 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. Black Hills Nebraska Gas, LLC;

NG-111.3 In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black  
Hills Energy, Rapid City, South Dakota, seeking to modify  
its tariff due to the February 2021 cold weather event, and  
implement a conversion fee for commercial sales customers  
who convert to transportation service;

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; and

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NG-112.1 In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a 2022 System Safety and Integrity Rider. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter assessment orders NG-111.1/ BA-17 and BA-18, NG-111.3/BA-19, NG-111.4/BA-20, NG-112.1/BA-9 and BA-10. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## TRANSPORTATION DEPARTMENT

B-2042 In the Matter of the Application of Memories Limousine Service, LLC, Scottsbluff, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by luxury or stretch limousine in limousine service between points in Scotts Bluff, Sioux, Dawes, Box Butte, Banner, Morrill, and Kimball counties, and between said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. 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, Tim Schram and Dan Watermeier voting AYE.

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. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order denying the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

MCC-3198 Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant, vs. Bus at the Yard d/b/a Luxury Limousine, Lincoln, Nebraska, Respondent. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order sustaining complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

In the Matter of the 2021 Annual Report to the Legislature on the status of the Implementation of LB-629 (2015). Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to approve filing the 2021 Annual Report to the Legislature on the status of the Implementation of LB 629 [2015]. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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GRAIN WAREHOUSE DEPARTMENT

GW-615 In the Matter of Oshkosh Grain, Inc., Oshkosh, Nebraska, seeking cancellation of warehouse receipts. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram to cancel warehouse receipts B679444 and B679445. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

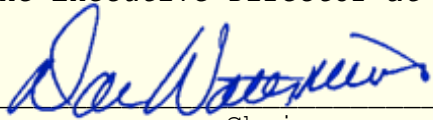
GD-2648 In the Matter of the Application of Dallas Langley dba Dallas Langley Trucking, Sidney, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue 2018). Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram to enter an order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

GD-2775 In the Matter of the Application of Red River Commodities, Inc., Fargo, North Dakota, 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, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GDC-446 In the Matter of Terri Fritz, Grain Program Manager, Grain Warehouse Department, Nebraska Public Service Commission, COMPLAINANT, v. Banghart Properties, LLC, a.k.a Fearless Grain Marketing Storage and Arbitrage, a.k.a Fearless Grain Marketing, a.k.a Fearless Grain, Gettysburg, South Dakota, RESPONDENT. Terri Fritz, stated that the Hearing Officer has set January 5, 2022 at 10:00 a.m. for a hearing in the Commission Hearing Room, Lincoln, Nebraska. Remote access to the hearing will be available via Webex and telephone.

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The meeting adjourned at 10:25 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on January 4, 2022 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on January 3, 2022.

  
Chair

  
Deputy Director