

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

August 1, 2023

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Notice was duly published July 24, 2023 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 August 1, 2023 at 10:00 a.m. 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 a.m. with Commissioners Kevin Stocker, Tim Schram, Christian Mirch, Eric Kamler, and Dan Watermeier present in the Commission Hearing Room. 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 offered. No announcements were made.

Attention was called to the following proceedings:

## **COMMUNICATIONS DEPARTMENT**

**C-5515:** In the Matter of the Application of Turtle Beach Lake Association, Marquette, seeking authority to receive advanced telecommunications capability service from the Hordville Exchange of the Hamilton Telephone Company. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**C-5517:** In the Matter of the Application of Hamilton NG911, Inc., Aurora, Nebraska, seeking authority to withdraw its local exchange certificate of authority and cancel its tariff. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order granting withdrawal. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**C-5450:** In the Matter of the Application of Jena and Levi Ochsner, Saronville, seeking authority to receive advanced telecommunications capability service from the Stockham Exchange of the Hamilton Telephone Company. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter an Order granting withdrawal. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## **STATE 911 DEPARTMENT**

**PS #21-479:** In the Matter of Facilitating Implementation of Next Generation 911 Services (NG911). Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker Director Sankey seeks authorization to prepare and submit comments to the FCC regarding Notice of Proposed Rulemaking governing the delivery and allocation of costs for IP-based Next Generation 911 calls. Motion passed with

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Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## NATURAL GAS DEPARTMENT

**E-2517:** In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Keith County. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## TRANSPORTATION DEPARTMENT

**MCC-3196.05:** Dillon Keiffer-Johnson, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, COMPLAINANT, vs. Careem Transportation, LLC; Cornbelt Development d/b/a Travel Plus Limousines; Dashabout Roadrunner, Inc. d/b/a Buffalo Springs Ranch; Davis Entertainment, LLC d/b/a Ollie the Trolley; Kearney Cab Company; Lunjini Medical Transportation, LLC; Nebraska Urban Indian Health Coalition; Night Life Limousine, LLC; Omaha Omaha Handicap Transportation Service; Safe Journey Transit, LLC; and Serving Nebraska Health Transportation Agency, RESPONDENTS. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter an Order Dismissing Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1996.01:** In the Matter of the Nebraska Public Service Commission, on its own motion, to require Nebraska Excellent Health Transportation Services, Omaha, Nebraska, to show cause why its Certificate of Public Convenience Necessity should not be revoked. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order to Show Cause and Schedule Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2006.02:** In the Matter of the Nebraska Public Service Commission, on its own motion, to require My Princess' Limo Services, LLC, Madison, to show cause why its Certificate of Public Convenience Necessity should not be revoked. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order to Show Cause and Schedule Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2060:** In the Matter of the Application of West O Limo Club, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in open class service between points in Douglas, Sarpy, Dodge, Saunders, Washington, Cass and Lancaster counties, over irregular routes pursuant to a contract

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with West O Limo Club. HHS Designation: No. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order Granting Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2064.02:** In the Matter of the Application of Catch a Ride Taxi and Transportation, LLC, Kearney, seeking to extend its authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in taxicab service between all points in Nebraska over irregular routes. HHS Designation: No. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler to enter an Order to Schedule Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2075:** In the Matter of the Application of KP Unique Transportation, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van, SUV, and sedan between points in Douglas, Sarpy, Lancaster, Cass, Plattsmouth, Dodge, Saunders, Gage, Burt, Polk, Wayne, Seward, Butler, Jefferson, Otoe, Colfax, Pawnee, Washington, Cuming, Platte, Tekamah, Scotts Bluff, Kearney, Fillmore, Thayer, Stanton, Saline, Richardson, Johnson, York, Knox, Nemaha, Cedar, Dixon, Hurston, Dakota, Nance, Hamilton, Antelope, Pierce, Boone, Madison, Nuckolls, Clay, Merrick, Valley, Garfield, Wheeler, Greeley, Holt, Howard, Sherman, Boyd, Buffalo, Hall, Adams, Franklin, and Webster Counties, and between said counties 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. HHS Designation: Yes. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order to granting withdrawal and dismissing application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2071.01r:** In the Matter of the Application of Cousin's Investments, LLC d/b/a BIG10 Bus, Columbus, 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 Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## GENERAL ADMINISTRATION

Deputy Director's recommendation to approve James Almond to travel to and attend the 2023 APCO Annual Meeting in Nashville, TN from August 5, 2023 to August 10, 2023 with all expenses to be paid by the Commission. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch. Motion passed with Commissioners Eric

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Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Deputy Director's recommendation to go into closed session, the closed session being necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual, to discuss the deployment of security personnel or devices. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch. Motion passed with Commissioners Christian Mirch, Tim Schram and Kevin Stocker voting AYE, and Commissioners Eric Kamler and Dan Watermeier voting NAY.

The Commission entered into closed session at 10:20 a.m.

Chair Dan Watermeier restated that the purpose of the closed session is to discuss the deployment of security personnel or devices. The closed session discussion will be so limited.

Deputy Director's recommendation to return to open session. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler excused not voting.

The Commission returned to open session at 10:50 a.m.

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The meeting adjourned at 10:50 a.m. with Commissioners Kevin Stocker, Tim Schram, Christian Mirch, and Dan Watermeier present, and Commissioner Eric Kamler absent. The next regularly scheduled meeting will be held on August 15, 2023 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on August 14, 2023.



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Chair



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Deputy Director