

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

September 19, 2023

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Notice was duly published September 11, 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 September 12, 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-5526: In the Matter of the Application of Natasha Moser, Hartington, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

BEAD-1/ C-5529: In the Matter of the Nebraska Public Service Commission, on its own Motion, to implement the Precision Agriculture Infrastructure Grant Act. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order redocketing application and seeking further comments due October 6, 2023 and setting a hearing for October 26, 2023 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Eric Kamler, Tim Schram and Dan Watermeier voting AYE, and Commissioners Christian Mirch and Kevin Stocker voting NAY.

NUSF-37.429: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Marco Technologies, LLC, Respondent. to enter an Order dismissing Complaint;

NUSF-37.430: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Skybeam Acquisition Corporation, Respondent. to enter an Order dismissing Complaint; and

NUSF-37.431: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Onvoy, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order dismissing Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

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NUSF-32.21: In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure by certain telecommunications companies to comply with Commission Rules or Orders and to impose administrative fines. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order initiating Show Cause and Setting Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

Deputy Director's recommendation to go into closed session to review and discuss with legal counsel a confidential investigation conducted by an independent attorney on behalf of the Commission pertaining to a personnel matter, the closed session being necessary to protect the public interest and prevent needless injury to the reputation of an individual or individuals. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Tim Schram and Dan Watermeier voting AYE, and Commissioners Christian Mirch and Kevin Stocker voting NAY.

The Commission entered into closed session at 10:14 a.m.

Chair Dan Watermeier restated that the purpose of the closed session is to review and discuss with legal counsel a confidential investigation conducted by an independent attorney on behalf of the Commission pertaining to a personnel matter, the closed session being necessary to protect the public interest and prevent needless injury to the reputation of an individual or individuals. The closed session discussion will be so limited.

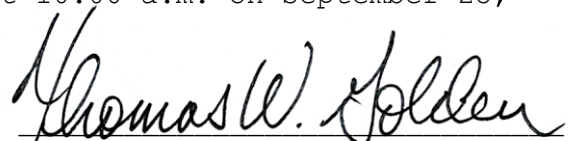
Deputy Director's recommendation to return to open session. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Tim Schram and Dan Watermeier voting AYE, and Commissioners Christian Mirch and Kevin Stocker present not voting.

The Commission returned to open session at 12:27 p.m.

The meeting adjourned at 12:27 p.m. with Commissioners Kevin Stocker, Tim Schram, Christian Mirch, Commissioner Eric Kamler and Dan Watermeier present. The next regularly scheduled meeting will be held on September 26, 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 September 25, 2023.



Chair



Executive Director