

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

September 26, 2023

Page 1

Notice was duly published September 15, 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 26, 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 Tim Schram, Christian Mirch, Eric Kamler, and Dan Watermeier present in the Commission Hearing Room, and Commissioner Kevin Stocker absent. 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**

**NUSF-25, PO #45:** In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of federal universal service support; and

**NUSF-66:** In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of state universal service support. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order certifying high-cost carriers for state and federal universal service support in the 2024 program year. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

**NUSF-37.427:** In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. CallShaper, LLC, Respondent. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order dismissing Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

**Vyve Business Services, LLC and Estech Systems, Inc.:** Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler Carrie Gans seeks Commission approval to open NUSF remittance Complaints against Vyve Business Services, LLC and Estech Systems, Inc. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

## **TRANSPORTATION DEPARTMENT**

**B-1990.01:** In the Matter of the Nebraska Public Service Commission, on its own motion, to require Meeting & Event Design, Inc., d/b/a Tuk Tuk

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

---

Minutes

September 26, 2023

Page 2

Omaha, Omaha, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order to Show Cause and Schedule Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

**B-2074:** In the Matter of the Application of Tonaci Logistics, LLC, Lincoln, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van between points in Lancaster, Seward, Saunders, Douglas, Sarpy, Cass, Gage, York, Otoe, Saline, Butler, Johnson, Fillmore, Clay, Hamilton, and Hall 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 Eric Kamler, seconded by Commissioner Tim Schram to enter an Order Granting Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

**B-2078:** In the Matter of the Application of Lexington Party Bus, LLC, Lexington, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by Bus in Special Party and Charter service between points in Sherman, Keith, Lincoln, Custer, Dawson, Buffalo, Hall, Harlan, Chase, Howard, Adams, Kearney, Phelps, Gosper, Frontier, Red Willow, and Furnas counties, and between said counties, over irregular routes. HHS Designation: No. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order Granting Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

**B-2078.01r:** In the Matter of the Application of Lexington Party Bus, LLC, Lexington, 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 Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

## GRAIN DEPARTMENT

**GD-666:** In the Matter of the Application of Crossroads Cooperative Association dba United Trading Services, Sydney, Nebraska, seeking to change its name to Crossroads Cooperative Association. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order granting application. Motion passed with Commissioners Eric

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

September 26, 2023

Page 3

Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

## GENERAL ADMINISTRATION

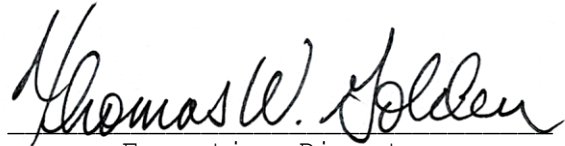
Executive Director's recommendation to approve minutes for August 2023. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker excused not voting.

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The meeting adjourned at 10:11 a.m. with Commissioners, Tim Schram, Christian Mirch, Commissioner Eric Kamler and Dan Watermeier present, and Commissioner Kevin Stocker absent. The next regularly scheduled meeting will be held on October 3, 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 October 2, 2023.



Chair



Executive Director