

PRELIMINARY MINUTES

Notice was duly published December 3, 2019 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on December 10, 2019 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:00 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. Chair Ridder 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:

Wednesday, December 11, 2019:

B-2002 Oceans Enterprise, LLC dba Oceans Drive Transportation, Omaha, common carrier authority - **Hearing**
10:00 a.m. - Commission Hearing Room
Commissioner Mary Ridder - Hearing Officer

Tuesday, December 17, 2019:

Commission Meeting

10:00 a.m. - Commission Hearing Room

NG-78.7 Black Hills Distribution 2020 SSIR - **Hearing**
11:00 a.m. - Commission Hearing Room
Commissioner Rod Johnson - Hearing Officer

COMMUNICATIONS DEPARTMENT

C-5080 In the Matter of the Application of Randy Huebert, Marquette, seeking authority to receive telephone service from the Hordville Exchange of Hamilton Telecommunications. Motion made by Commissioner Dan Watermeier, 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.

AD-679r 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.

AD-680r 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 Tim Schram, seconded by Commissioner, Dan Watermeier to enter Orders granting applications AD-679r and AD-680r. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NUSF-33/
PI-68 In the Matter of the Nebraska Public Service 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 Dan Watermeier, to enter an Order granting late-filed audit waivers. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-117 In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to consider implementing a program to incentivize new fiber construction for E-rate eligible entities. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order opening docket and seeking comments due January 17, 2020. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

STATE 911 DEPARTMENT

911-042.30 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: Jefferson County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades 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.

911-042.38 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: Washington County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram 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.

Director Sankey sought Commission approval to open a complaint against Windstream Nebraska Inc. related to multiple recent 911 service outages. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades to approve opening a Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Director Sankey informed the Commission that the next Wireless 911 Advisory Board meeting will be held December 18, 2019 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

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TRANSPORTATION DEPARTMENT

B-1896, In the Matter of the Application of Davis Entertainment
Supp. 1 LLC, d/b/a Ollie the Trolley, Omaha, seeking to extend its
authority as a common carrier in Nebraska intrastate
commerce in the transportation of passengers in open class by van
between points in Cass, Dodge, Douglas, Sarpy, Saunders and Washington
counties, and between said counties, over irregular routes.
RESRICTIONS: The transportation of railroad train crews and their
baggage is not authorized. HHS Designation: No. Motion made by
Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson to
enter an Order Granting Application as Amended. Motion passed with
Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram
and Dan Watermeier voting AYE.

In the Matter of the 2019 Annual Report to the Legislature on the
status of the Implementation of LB-629 (2015). Motion made by
Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to
approve the 2019 Annual Report to the Legislature. Motion passed with
Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram
and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Commission
invoices. Motion made by Commissioner Tim Schram, seconded by
Commissioner Rod Johnson. Motion passed with Commissioners Rod
Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and
Commissioner Crystal Rhoades present not voting.

Dan Watermeier \$ 129.57

Executive Director's recommendation to approve
Commissioners Rod Johnson, Mary Ridder and Dan Watermeier to travel to
and attend the 2020 Mid-America Regulatory Conference (MARC)
Commissioner Only Meeting, in Austin, TX from January 9 through 11,
2020. Motion made by Commissioner Tim Schram, seconded by Commissioner
Dan Watermeier. Motion passed with Commissioners Rod Johnson, Mary
Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner
Crystal Rhoades present not voting.

Executive Director's recommendation to approve Kea Morovitz
and Christian Nielsen to travel to and attend the NENA Standards and
Best Practices Conference, in Austin, TX, from January 20 through
January 23, 2020. Motion made by Commissioner Dan Watermeier, seconded
by Commissioner Rod Johnson. Motion passed with Commissioners Rod
Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and
Commissioner Crystal Rhoades present not voting.

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Executive Director's recommendation to approve the schedule of Commission Meetings for 2020. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades present not voting.

Open Session: Executive Director's recommendation to go into closed session to discuss a personnel matter, the closed session being necessary for the protection of needless injury to the reputation of an individual. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

The Commission entered into closed session at 10:14 AM.

Closed Session: Chair Ridder restated that the purpose of the closed session is for the protection of needless injury to the reputation of an individual. The closed session discussion will be so limited.

Open Session: Executive Director's recommendation to return to open session. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

The Commission returned to open session at 10:47 AM.

The meeting adjourned at 10:47 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on December 17, 2019 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on December 16, 2019.

Chair

Executive Director