

Preliminary Minutes

Notice was duly published February 25, 2020 on page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on March 3, 2020 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 10:01 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:

Tuesday, March 10, 2020:

Commission Meeting

10:00 a.m. - Commission Hearing Room

Rule & Motor Transportation - **Hearing**
Reg #203 11:00 a.m. - Commission Hearing Room
Commissioner Crystal Rhoades - Hearing Officer

COMMUNICATIONS DEPARTMENT

C-5095 In the Matter of the Application of Patrick Lammers and Greg Lammers, Hartington, seeking authority to receive telephone service the Hartington exchange of Hartington Telecommunications Company, Inc. Motion made by Commissioner Rod Johnson, 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.

NUSF-37.377 In the Matter of Cullen Robbins, Director of the Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, complainant, v. Legacy Long Distance International Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order dismissing the Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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COMMUNICATIONS DEPARTMENT (Cont.)

NUSF-117 In the Matter of the Nebraska Public Service Commission, on its own motion, to consider implementing a program to incentivize new fiber construction for E-rate eligible entities. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order seeking further comments, due on or before April 14, 2020, and, setting a hearing on April 21, 2020, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins discussed NUSF Late-Filed/Late-Paid Carriers: Custom Teleconnect, Inc. and CallCatchers, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, that complaints be opened for Custom Teleconnect and CallCatchers, Inc. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month.

STATE 911 DEPARTMENT

911-042.12 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: Kimball County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades to enter an Order approving use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.57 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: City of Alliance. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier to enter an Order approving use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NATURAL GAS DEPARTMENT

E-2469 In the Matter of the Application of Lincoln Electric System, Lincoln, Nebraska, seeking authority to construct, operate and maintain electric transmission lines in Lancaster County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-2005 In the Matter of the Application of Extreme Nightlife, LLC, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party service between points within a 100-mile radius of Lincoln, Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No.; and

B-2007 In the Matter of the Application of N.H.A.A.D. LLC, d/b/a The Party Bus, North Platte, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in special party service between points in Lincoln County over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order granting applications B-2005 and B-2007. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

MT-0001 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to address certain carriers in non compliance with annual renewal requirements. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier, to enter an Order. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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GENERAL ADMINISTRATION

Executive Director's recommendation to approve Commission invoices. Motion made by Commissioner Rod Johnson, 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.

Crystal Rhoades	\$	484.13
Tim Schram		469.20
Tim Schram		52.70

The following invoices were paid between 2/26/20 and 3/2/20 and should be ratified:

Mary Ridder	\$	1,151.78
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Open Session

Executive Director's recommendation for a motion to go into closed session to discuss personnel matters, the closed session being necessary for the prevention 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 10:18 AM.

Closed Session

Chair Ridder restated that the purpose of the closed session is to discuss personnel matters. The closed session being necessary for the prevention of needless injury to the reputation of an individual. The closed session discussion will be so limited.

Open Session

Executive Director's recommendation for a motion to return to open session. 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.

The Commission returned to open session at 11:14 AM.

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The meeting adjourned at 11:15 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on March 10, 2020 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on March 9, 2020.

Chair

Executive Director