

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on )     RULE AND REGULATION NO. 208  
its own motion, seeking to amend )  
Title 291, Chapter 7, Transmission )  
Lines Rules and Regulations, to )     ORDER OPENING DOCKET, SEEKING  
adopt the 2023 edition of the )     COMMENTS, AND NOTICE OF  
National Electrical Safety Code as )     HEARING  
the official rules of the Commission )  
for the construction, operation, and )  
maintenance of overhead and )  
underground electric transmission )  
lines. )     ENTERED: August 30, 2022

BY THE COMMISSION:

### O P I N I O N     A N D     F I N D I N G S

The Nebraska Public Service Commission (Commission) hereby opens the above-captioned docket, on its own motion, seeking to adopt the 2023 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines.

The Commission seeks to amend its rules to wit:

1. Amend rule 001.01 to read as follows:

001.01 Power Lines to Comply with National Electrical Safety Code: For the purposes of implementing Chapter 75, Article 7, of the Reissue Revised Statutes of Nebraska, 1943, Transmission Lines Rules and Regulations, the ~~2017~~2023 edition of the National Electrical Safety Code as modified by the Commission (and incorporated herein by reference and available for viewing at the Nebraska Public Service Commission, 300 The Atrium, 1200 "N" Street, Lincoln, Nebraska 68508) shall be the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines, except when such rules and regulations conflict with the laws of Nebraska or the special rules and regulations of the Commission.

The Commission finds that a public comment period should be opened to allow for the filing of written comments. Interested parties may file written comments with the Commission on or **before 5:00 p.m. CDT, September 30, 2022**. Parties filing comments should email comments to **[psc.naturalgas@nebraska.gov](mailto:psc.naturalgas@nebraska.gov)**.

The Commission finds that this matter should be set for hearing on **Tuesday, October 18, 2022, at 11:00 a.m., CDT** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska and via webconference, available at <http://psc.nebraska.gov/stream>.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that this rulemaking amending Title 291, Chapter 7, Transmission Lines Rules and Regulations, to adopt the 2023 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines be, and it is hereby, open for public comment.

IT IS FURTHER ORDERED that interested parties file comments with the Commission on or **before 5:00 p.m. CDT, September 30, 2022**. Parties filing comments should email comments to **psc.naturalgas@nebraska.gov**.

IT IS FURTHER ORDERED that a public hearing be scheduled for **Tuesday, October 18, 2022, at 11:00 a.m., CDT** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska and via webconference, available at <http://psc.nebraska.gov/stream>.

ENTERED AND MADE EFFECTIVE in Lincoln, Nebraska on this 30<sup>th</sup> day of August, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Rod Johnson*  
*Crystal Broader*  
*Tim Schram*

*Don Waters*  
Chair

ATTEST:

*Thomas W. Golden*  
Executive Director



COMMISSIONERS:  
ROD JOHNSON  
CRYSTAL RHOADES  
MARY RIDDER  
TIM SCHRAM  
DAN WATERMEIER

September 1, 2022

TO WHOM IT MAY CONCERN:

RE: RULE AND REGULATION #208: In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 7, Transmission Lines Rules and Regulations, to adopt the 2023 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines.

### CERTIFICATION

I, Thomas Golden, Executive Director of the Nebraska Public Service Commission, hereby certify that the enclosed is a true and correct copy of the original order made and entered in the proceeding docketed Rule and Regulation No. 208 on the 30<sup>th</sup> day of August, 2022. The original order is filed and recorded in the official records of the Commission.

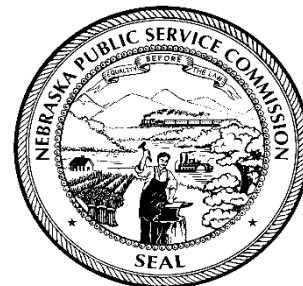
Please direct any questions concerning this order to Nichole Mulcahy, 402-471-0234.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Nebraska Public Service Commission, Lincoln, Nebraska, this 1<sup>st</sup> day of September, 2022.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. Golden".

Thomas Golden  
Executive Director



cc: All recipients listed here: <https://psc.nebraska.gov/administration/proposed-rules-regulations>

NEBRASKA PUBLIC SERVICE COMMISSION  
300 The Atrium, 1200 N Street  
Post Office Box 94927  
Lincoln, NE 68509-4927

The following proposed Rule and Regulation may be inspected at the offices of the Nebraska Public Service Commission during regular office hours. Comments must be filed with the Commission in the manner and within the time prescribed in Section 14 of the Rules of Commission Procedure:

**RULE AND REGULATION #208:** In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 7, Transmission Lines Rules and Regulations, to adopt the 2023 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines.

Interested parties should submit written comments on the proposed rules set forth in the Order Opening Docket, Seeking Comments, and Notice of Hearing, no later than 5:00 p.m., Friday, September 30, 2022. Parties filing comments should email comments to [psc.naturalgas@nebraska.gov](mailto:psc.naturalgas@nebraska.gov).

A public hearing to receive testimony on the proposed Rules and Regulations has been scheduled for Tuesday, October 18, 2022, at 11:00 AM. Remote access to the hearing will be available via WebEx at the following link: <https://psc.nebraska.gov/stream>. Individuals may also attend the meeting by telephone: dial 415-655-0003, then enter 926 343 190 when prompted for an access code.

The Commission believes there will be no fiscal impact as a result of these rules.

Copies of the proposed rules are available on the Commission website at <https://psc.nebraska.gov/administration/proposed-rules-regulations>. Anyone wishing to receive written notices regarding this docket shall provide contact information to the Commission and ask to be added to the service list.

If auxiliary aids or reasonable accommodations are needed for attendance at a Commission hearing, please call the Commission at 402-471-3101. For people with hearing/speech impairments, please call the Commission using the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.