

Chair Boyle called the regularly scheduled meeting to order at 1:08 p.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, and Vap present and Commissioner Landis excused.

GENERAL ADMINISTRATION

Notice was duly published July 16, 2002, 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 July 23, 2002, at 1:00 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Gene Hand informed the Commission that a letter from AT&T was received on July 10, 2002, asking the Commission to overturn Neustar's decision denying AT&T's request for ten blocks of numbers for one of their customers. AT&T requests the Commission invoke the informal "Safety Valve" process found at 47 C.F.R. 52.15 (g)(4) so that AT&T may serve its customer: Upon agreement of all Commissioners present, a letter was sent to Ms. Tara Farquhar, Pooling Administrator.

Gene Hand discussed correspondence from ALLTEL regarding an AT&T temporary problem in a billing system dating back to mid-May.

Copies of a publication regarding findings from an Association of American Retired Persons (AARP) Survey, "Understanding Consumer Use of Wireless Telephone Service" were provided to the Commissioners.

Gene Hand informed the Commission that information, including Nebraska Distance Learning Maps, was electronically forwarded to each Commissioner.

A list of TRS Advisory Committee Members was distributed to the Commissioners.

FC-1296/ In the Matter of Cox Nebraska Telcom, L.L.C., Omaha, and
FC-1297 Illuminet, Olympia, Washington, vs. Qwest Communications, Inc., Omaha, alleging violations of state law and policy, as well as tariff obligations and Alltel Nebraska, Inc. and ALLTEL Communications of Nebraska, Inc., Complainant, vs. Qwest Corporation, Respondent, requesting a review of Qwest's Common Channel Switched Access Capability Signaling rate elements as set forth in Qwest's Access Service Catalog: The Commission discussed the outcome of the July 22, 2002, oral argument in which the Commission granted the Complainants' Motion to Cease and Desist and approved a protective order. Upon agreement of all Commissioners present, Progression Order #1 was entered reflecting new deadlines. A hearing was set for October 15 and 16, 2002, at 9:30 a.m. in the Commission Hearing Room, Lincoln.

COMMUNICATIONS DEPARTMENT (Cont.)

C-1889 In the Matter of GCC License Corporation (Western Wireless), Issaquah, Washington, seeking designation as an Eligible Telecommunications Carrier that may receive Universal Service support: Gene Hand informed the Commission that a response to Western Wireless' Motion for Reconsideration was filed on July 18, 2002, by the Independents.

C-2684 In the Matter of Excel Telecommunications, Inc., Dallas, Texas, seeking authority to obtain a Certificate of Public Convenience and Necessity to amend its certification to include facilities-based competitive local exchange services in the state of Nebraska: Upon agreement of all Commissioners present, the application was granted.

C-2732 In the Matter of the Commission, on its own motion, seeking to assign "211" to United Way of the Midlands 'First Call For Help' (FCFH) for Dodge and Cass Counties: Upon agreement of all Commissioners present, the application was granted.

C-2744/ DC-61 In the Matter of the Commission, on its own motion, seeking an order to cease and desist operations and to revoke the Certificates of Public Convenience and Necessity issued to the named defendants: Upon agreement of all Commissioners present, the application was dismissed in part.

C-2751 In the Matter of Teligent Services, Inc., Herndon, Virginia, seeking approval for a revision to its reorganization re-emergence plan: Upon agreement of all Commissioners present, the application was granted.

Chris Post provided a summary of the Department of Justice report on Qwest's 271 application.

Engineering Division

E-1957 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Merrick, Nance and Platte Counties: Upon agreement of all Commissioners present, the application was granted.

UNIVERSAL SERVICE FUND

NUSF-26 In the Matter of the Commission, on its own motion, seeking to establish a long-term universal service funding mechanism: Upon agreement of all Commissioners present, an order was entered outlining rules to be applied to all ETCs regardless of technology.

UNIVERSAL SERVICE FUND (Cont.)

Jeff Pursley discussed a meeting held on July 17, 2002, with the Nebraska Health and Human Services Department regarding the Lifeline/Link-Up Program.

GRAIN WAREHOUSE DEPARTMENT

GW-2119 In the Matter of M.G. Waldbaum Company dba Wayne Grain and Feed, Wayne: John Fecht updated the Commission on the filing of the additional letter of credit the Commission had requested and the issuance of the grain warehouse license.

GW-553 In the Matter of Kroeker Grain & Lumber Co., Inc., Henderson: Upon agreement of all Commissioners present, a Complaint, Order to Show Cause and Order for Hearing were entered. A hearing was set for a date later to be determined.

GW-1679 In the Matter of Grain Dealers Mutual Insurance Company seeking cancellation of its Continuous Public Grain Warehouse Bond No. 13-4-951 in the amount of \$79,600.00, issued on behalf of Herbert Feed & Grain Co., Verdigre: Application was granted effective July 17, 2002.

GW-2079 In the Matter of Custer Feed Products, Inc., Sargent: John Fecht gave an update on the financial status of the elevator.

PI-60 In the Matter of the Commission, on its own motion, seeking to conduct an investigation into exemptions from grain dealer licensure, protection for producers against loss, grain dealer bond limits and related issues: A workshop was set for August 21, 2002, at 9:30 a.m. in the Commission Hearing Room, Lincoln.

Grain Dealer Division

The following applicant was granted a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending June 30, 2003:

GD-2842 BEEGS, Inc. dba Julian Ag Service, Julian \$48,000

HOUSING DEPARTMENT

Mark Luttich reported on Atlantic Homes management changes and that HUD continues to have funding problems.

TRANSPORTATION DEPARTMENT

Andy Pollock reported that the Supreme Court affirmed the Commission decision in Rule and Regulation #148 which set an interim policy and defined limousine. A Motion for Rehearing was filed by A-1 on July 19, 2002, which continues the stay of the Commission's order.

B-1483 In the Matter of Raymond L. Eichman, York, seeking Commission approval to waive the age qualification for driving a motor vehicle: Upon agreement of all Commissioners present, approval was granted and the rule waived.

B-1551 In the Matter of Platinum Builders, Inc., dba Platinum Limousine Service, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by luxury or stretch limousine between points in Cass, Dodge, Douglas, Lancaster, and Sarpy Counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Upon agreement of all Commissioners present, the application was denied.

B-1573 In the Matter of K & B Coach, Inc., Kearney, seeking authority as a common carrier in Nebraska intrastate commerce for the transportation of passengers in vans in open class service including clients of Nebraska Department of Health and Human Services between points in Nebraska over irregular routes: Upon agreement of all Commissioners present, the application was denied.

B-1575 In the Matter of Golden Plains Services, LLC, dba High Plains Cab Service, McCook, seeking approval to institute use of alternate vehicles to augment its taxi fleet: Upon agreement of all Commissioners present, approval was granted and the rule waived.

B-1592 In the Matter of Jerry Everett, dba Royal Coach Lines, Cortland, seeking to acquire, through transfer, the authority granted as a common carrier granted to Yellow Cab & Limo, Inc. in Certificate B-1434, Supplement 4: Upon agreement of all Commissioners present, temporary authority was granted.

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-E: The fuel surcharge was increased to 10 cents per mile and the taxi surcharge was increased to 20 cents per trip.

GENERAL ADMINISTRATION

Upon agreement of all Commissioners present, the following invoices were approved:

GENERAL ADMINISTRATION (Cont.)

DAS - Administrative Services - Accounting Division	\$ 5249.00
DAS - Materiel - Postage	268.25
DAS - Materiel - Office Supplies	935.39
DAS - Transportation Services Bureau - Voyager	640.74
Executive Travel	1,229.50
NARUC	550.00
Laura Davenport	660.66

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Audiology Services & Hearing Aid Center PC	\$ 159.95
Aksarben TDD Services	4,430.35
Associated Hearing Health Care	1,133.78
Carl A. Johnson	1,005.80
Hearing Aid Specialists Inc	914.00
Johnson Hearing Aid Service	955.75
McCook Pharmacy & Medical Supply	727.80
K-D Communications	2,436.50
Telex Inc	472.49
Harris Communications	157.75
The Hearing Clinic Inc.	2,523.45
R & J Enterprises	1,048.60

Upon agreement of all Commissioners present, authorization was granted for Commissioner Lowell Johnson to attend the NECA TRS Advisory Committee Meeting held in Washington, DC, on June 27, 2002, with all expenses to be paid by NECA.

Upon agreement of all Commissioners present, authorization was granted for Brenda Wicken to pay Commission invoices from July 23 to August 5, 2002.

Upon agreement of all Commissioners present, authorization was granted for John Fecht to grant all grain warehouse license applications that meet statutory requirements from July 23 to August 5, 2002.

The meeting adjourned at 1:48 p.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, and Vap present and Commissioner Landis excused. The next regularly scheduled meeting will be held on August 6, 2002, at 1:00 p.m. with an agenda to be available in the office of the Executive Director at 1:00 p.m. on August 5, 2002.

Chair

Executive Director