

Chair Boyle called the regularly scheduled meeting to order at 10:06 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, and Vap present and Commissioner Landis excused.

#### GENERAL ADMINISTRATION

Notice was duly published May 20, 2003, on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 28, 2003, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

#### Wednesday, May 28, 2003:

FC-1312 Commission Hearing Room, Lincoln. Pre-Hearing Conference.  
3:00 Michael J. Haller, Jr., Omaha, vs. Qwest, Denver, Colorado, alleging unsatisfactory business practices. Commissioner Rod Johnson chairing.

#### Thursday, May 29, 2003:

P-0006 Commission Hearing Room, Lincoln.  
9:00 Aquila, Inc., Omaha, seeking resolution of a dispute under Neb. Rev. Stat. 57-1306. Commissioner Landis chairing.

#### COMMUNICATIONS DEPARTMENT

John Burvainis reported on the Division of Communications course offering related to voice over the Internet protocol.

#### UNIVERSAL SERVICE FUND

NUSF-4 In the Matter of the Commission, on its own motion, seeking to determine the level of the fund necessary to carry out The Nebraska Telecommunications Universal Service Fund Act beginning July 1, 2003: An Order was entered setting the surcharge for the 2003/2004 Fiscal Year. Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis Absent, Not Voting.

NUSF-26 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish a long-term universal service funding mechanism: An Order was entered based on the Pre-Hearing Conference. Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis Absent Not Voting. Mr. Pursley also discussed the telehealth plan.

UNIVERSAL SERVICE FUND (Cont.)

NUSF-32 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of various companies to comply with Commission Orders and, at its own discretion, impose administrative fines against the named defendants: An Order was entered continuing the NexTel hearing to a date later to be determined. Motion made by Commissioner Jerry Vap, seconded by Commissioner Lowell Johnson. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis Absent Not Voting.

Mr. Pursley reported on two late filings in the Late-Filed Carrier Remittance report. He proposed assessing a \$50.00 late fee per carrier. The Commission approved his proposal without objection.

Mr. Pursley and John Burvainis discussed LB 424 and its possible effect on the Nebraska Universal Service Fund.

LEGISLATIVE REPORT

Andy Pollock reported on LB 743 and LB 790.

GRAIN WAREHOUSE DEPARTMENT

GW-199 In the Matter of John A. Fecht, Director, Warehouse  
GWC-384 Department, Complainant, vs. Meyer & Meyer Grain, Ran-  
dolph, Defendant: An order was entered dismissing the  
complaint and lifting the temporary suspension. The hearing set for  
June 24, 2003, was cancelled.

TRANSPORTATION DEPARTMENT

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 retained at 14 cents per mile and the  
taxi surcharge at 20 cents per trip.

GENERAL ADMINISTRATION

The Commission approved the following invoices:

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM:

Associated Hearing Health Care	\$ 569.60
Harris Communications	1,551.05
Carl A. Johnson	1,027.55
Johnson Hearing Aid Service Inc.	392.63
K-D Communications	1,229.20
McCook Pharmacy & Medical Supply	1,237.65
Prof. Hearing Aid Services	1,511.00
R & J Enterprises	728.88
Sherard Hearing Aid Center	1,587.48

GENERAL ADMINISTRATION (Cont.)

Upon agreement of all Commissioners, authorization was granted to purchase recreational vehicle seals in the amount of \$2,370.00 (\$.79 each).

Upon agreement of all Commissioners, authorization was granted for Mark Luttich to travel to San Francisco, California, from September 18-20, 2003, to attend a meeting of the National Fire Protection Association to review and vote on the public's proposed changes to the recreational vehicle code. Mark is chairman of the NFPA Recreational Vehicle Code Development Technical Committee.

Upon agreement of all Commissioners, authorization was granted for Robert Bowman to travel to Smith Center, Kansas, on June 5, 2003, to perform a recreational vehicle factory inspection of Peterson Industries with all expenses, including time, to be reimbursed to the Commission by Peterson Industries.

Upon agreement of all Commissioners, authorization was granted for Jeff Pursley to travel to Denver, Colorado, from July 26-30, 2003, to attend the National Association of Regulatory Utility Commissioners Summer Meeting to attend the joint board meeting and other sessions.

The Commission discussed budget matters.

The Commission recessed at 10:33 a.m. and recovered at 1:30 p.m. with all Commissioners present.

The Commission and staff discussed NUSF audits with State Auditor Kate Witek and staff.

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The meeting adjourned at 1:59 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 June 3, 2003, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on June 2, 2003.

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Chair

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Executive Director