

Chairman Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Lowell Johnson, Landis and Vap present, and Commissioners Boyle and Rod Johnson were excused.

GENERAL ADMINISTRATION

Notice was duly published September 21, 2004, on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 28, 2004, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chairman Vap began the meeting with the introduction of the Commission's Employee of the Year, Joan Raffety. Chairman Vap also introduced Mark Breiner as the new Transportation Director for the Commissions Transportation Department.

Attention was called to the following proceeding:

Tuesday, September 28, 2004:

C-3213/ Commission Hearing Room, Lincoln.
DC-67 In the Matter of the Commission, on its own motion, seek-
1:30 ing an order to cease and desist operations and to revoke
the Certificates of Public Convenience and Necessity issued
to the named defendants. Commissioner Vap chairing.

COMMUNICATIONS DEPARTMENT

C-3026 In the Matter of the Commission, on its own motion, seeking
to conduct a 9-month proceeding as contemplated by the
Federal Communications Commission in its Triennial Review order
adopting new rules for network unbundling obligations: Gene Hand
informed the Commission that the deadline for filing comments on the
Federal Triennial Review Order docket will be October 4, 2004. Draft
comments were discussed. Commissioner Boyle will preside as Hearing
Officer.

C-3095 In the Matter of Qwest Corporation, Denver, Colorado,
seeking arbitration to resolve issues relating to inter-
connection rates, terms, conditions and related arrangements with AT&T
Communications of the Midwest, Inc., and TCG Omaha, Denver, Colorado:
Gene Hand informed the Commission that the parties have filed a
stipulation and replaced erroneous pages in their interconnection
agreement. The modified agreement is on the Commission's website.
Commissioner Boyle will preside as Hearing Officer.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3255 In the Matter of Qwest Communications, Denver, Colorado, seeking approval of an amendment to the Interconnection Agreement for Elimination of UNE-P and Implementation of Batch Hot Cut Process and Discounts with MCImetro Access Transmission Services, LLC, Denver, Colorado: Gene Hand advised the Commission that a Motion to Dismiss Application for Review of Negotiated Commercial Agreement had been received from Qwest Corporation and that AT&T filed a response to Qwest's Motion. Commissioner Landis will preside as Hearing Officer.

E-2048 In the Matter of Dawson County Public Power District, Lexington, seeking authority to construct, operate and maintain an electric transmission line in Lincoln County: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Frank Landis, and Jerry Vap voting AYE, Commissioners Anne Boyle, and Rod Johnson Excused Not Voting.

Gene Hand informed the Commission that a news conference on the telehealth network has been scheduled for Wednesday, October 27, 2004, at 9:00 a.m. The news conference location has been tentatively scheduled at BryanLGH, Lincoln, with video connections to hospital facilities across the state.

Gene Hand informed the Commission that the Iowa Utilities Board issued an order awarding Hamilton Telephone Company, Aurora, the contract for the Iowa Telecommunications Relay Service.

Gene Hand discussed the Federal Communications Commission comment cycle in CC Docket No. 95-116 wherein the FCC is seeking comment on the recommendation of the North America Numbering Council (NANC) for reducing the time interval for intermodal number porting.

UNIVERSAL SERVICE FUND

NUSF-2 In the Matter of the Commission, on its own Motion, seeking to establish guidelines for the administration of the Nebraska Telephone Assistance Program: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order setting a hearing for November 3, 2004, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Lowell Johnson, Frank Landis, and Jerry Vap voting AYE, Commissioners Anne Boyle, and Rod Johnson Excused Not Voting. Commissioner Landis will preside as Hearing Officer.

UNIVERSAL SERVICE FUND (Cont.)

NUSF-40/ In the Matter of the Commission, on its own motion, seeking
PI-86 to determine the extent to which Voice Over Internet
Protocol (VoIP) services should be subject to Nebraska
Universal Service Fund requirements: Camelia Rogers discussed the
Hearing Officer's Order entered on September 23, 2004, extending the
comment deadline to November 1, 2004.

E911 DEPARTMENT

911-12 In the Matter of the Commission, on its own Motion, seeking
to open an investigation regarding apparent overpayments
made by Fast Phones of Nebraska, Lincoln: Motion made by Commissioner
Lowell Johnson, seconded by Commissioner Frank Landis, to enter an
order opening the docket. Motion passed with Commissioners Lowell
Johnson, Frank Landis, and Jerry Vap voting AYE, Commissioners Anne
Boyle, and Rod Johnson Excused Not Voting.

Kara Thielen informed the Commission that the Wireless E911
Advisory Board meeting previously scheduled for October 1, 2004, was
rescheduled for October 7, 2004, from 11:00 a.m. to 4:00 p.m. in the
Commission Library, Lincoln.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking
Regulation to amend Title 291, Chapter 9, Natural Gas and Pipeline
#157A Rules and Regulations, to adopt rules in accordance with
Nebraska Legislative Bill 790 [2003]: A workshop was sche-
duled for November 8, 2004, at 1:30 p.m. in the Commission Hearing
Room, Lincoln, to address Rule 005 Rate Principles.

TRANSPORTATION DEPARTMENT

M-14184 In the Matter of R & F Movers, Inc., Lincoln, seeking
authority as a common carrier of household goods by truck
between points within a 30 mile radius of the city limits of Lincoln,
Nebraska, over irregular routes: A hearing was scheduled for October
27, 2004, at 1:30 p.m. in the Commission Hearing Room, Lincoln.
Commissioner Landis will preside as Hearing Officer.

MCC-3152 In the Matter of Andy S. Pollock, Complainant vs. S & B
M-14131 Enterprises, d/b/a Apartment Movers of Omaha, Omaha: A
video hearing was scheduled for December 9, 2004, at 2:00
p.m. in the Commission Library, Lincoln, and Nebraska State Office
Building, Room 207, Second Floor, 1313 Farnam Street, Omaha. Commis-
sioner Boyle will preside as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

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-F: The fuel surcharge was increased to 36 cents per mile and the taxi surcharge retained at 40 cents per trip.

The Commission was pleased to announce the promotion of Mark Breiner to the position of Director of the Transportation Department effective October 1, 2004.

GENERAL ADMINISTRATION

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

DAS - Communications	\$ 2,372.73
Larry Fauss	800.00
Anne Boyle	657.58
Rod Johnson	342.69
Gerald Vap	911.30

Upon agreement of all Commissioners present, authorization was granted to provide tuition assistance for a Commission employee to take agency-related courses of instruction through an accredited university.

Upon agreement of all Commissioners present, authorization was granted to surplus the following computers, printers, fax machines and calculators:

<u>Tag Number</u>	<u>Item</u>	<u>Serial Number</u>
1381	Compaq Monitor	906CD615N511
Not Tagged	Compaq Monitor	40705277K362
1426	HP Scanner	MY98H124WB
1277	Laptop (Field Investigator)	5045268
1395	Lexmark 5700 Printer	2035144
Not Tagged	IBM Terminal	88-42848
1334	Cannon Fax Machine	UJN52762
1344	Gateway Monitor	17004A079943
1427	Lexmark Z51 Printer	09350457888
	Gateway PC	0018747119
HUD	Acer PC	95001479AQ
HUD	Acer PC	95001477AQ

GENERAL ADMINISTRATION (Cont.)

<u>Tag Number</u>	<u>Item</u>	<u>Serial Number</u>
1410	Dell PC	4DEIT
1403	Dell PC	1T18L
1448	Dell PC	356KP01
1442	Dell PC	256KP01
1444	Dell PC	F46KP01
1470	Dell PC	69POB01
1454	Dell PC	556KP01
1452	Dell PC	J46KP01
	Samsung Camera	8324024
1217	Victor 1230 Calculator	12334802

The meeting adjourned at 10:52 a.m. with Commissioners Lowell Johnson, Landis and Vap present, Commissioners Boyle and Rod Johnson, were excused. The next regularly scheduled meeting will be held on Wednesday, October 6, 2004, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on October 5, 2004.

Chairman

Executive Director