

Vice-Chairman Rod Johnson called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson and Landis present and Commissioner Vap excused.

#### GENERAL ADMINISTRATION

Notice was duly published June 28, 2005 on Page 10 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held July 6, 2005 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of the complaints received in the preceding month.

C-3012 In the Matter of Commission, on its own motion, seeking to conduct a critical cost analysis for Aliant Communications Co., d/b/a ALLTEL, as a result of the Nebraska Technology & Telecommunications, Inc. and ALLTEL arbitration conducted in Application C-2648: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order granting the motion to dismiss and close the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order approving payment. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

C-3428 In the Matter of Metropolitan Telecommunications of Nebraska, Inc., New York, New York, seeking authority to operate as a reseller and facilities-based/UNE common carrier of local exchange and interexchange telecommunications service: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

C-3430 In the Matter of Qwest Corporation, Denver, Colorado, seeking to expedite the design services amendment to the interconnection agreement with AT&T Communications of the Midwest, Inc., Denver, Colorado, and TCG Omaha, Denver, Colorado: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving the amendment. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3423 In the Matter of the 34 Nebraska rural local exchange carriers seeking to revise the Commission's July 20, 2004 order granting suspension of the Federal Communications Commission's requirement to implement wireline-wireless number portability pursuant to 47 U.S.C. 251(f)(2): Shana Knutson informed the Commission of the Hearing Officer order that scheduled a planning conference for July 5, 2005 at 1:00 p.m. in the Commission Library, Lincoln.

C-3345/ In the Matter of the Commission, on its own motion, seeking  
NUSF-42/ to investigate Qwest's switched access rate structure:  
PI-93 Motion was made by Commissioner Frank Landis, seconded by  
Commissioner Lowell Johnson, to continue the hearing  
previously scheduled for July 13-15, 2005 to September 12, 2005 at  
10:00 a.m. and September 13, 2005 at 1:00 p.m. in the Commission  
Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle,  
Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner  
Jerry Vap excused not voting.

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, 2005: Motion made by Commissioner Frank Landis, seconded by  
Commissioner Lowell Johnson, to grant an order setting the surcharge  
rate for the FY 2005/2006 at 5.75% effective October 1, 2005. Motion  
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and  
Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

E911 DEPARTMENT

Joan Raffety informed the Commission that two Phase II requests had been received from Douglas County PSAP. Neither of the wireless carriers, which Douglas County requested Phase II from, is seeking additional cost recovery for Phase II. There will be additional charges from the local exchange carrier; however, those costs will be the responsibility of the PSAP.

NATURAL GAS DEPARTMENT

NG-0004.1 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking a waiver of the 30-day notice period under Neb. Rev. Stat. 66-1854 and to recover the gas cost portion of uncollectible accounts through its Gas Cost Adjustment tariff: Laura Demman reported that the staff planned a meeting with Aquila and the Public Advocate on July 7, 2005 at 10:00 a.m. in the Commission Library, Lincoln. Commissioner Frank Landis was appointed as Hearing Officer.

NATURAL GAS DEPARTMENT (Cont.)

NG-0024 In the Matter of the Commission, on its own motion, seeking to participate as an intervenor in the Federal Energy Regulatory Commission consolidated rate case filed by Northern Natural Gas (RP98-203 and RP04-155): Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

NG-0028/  
PI-97 In the Matter of the Commission, on its own motion, seeking to investigate and adopt policies for administration of consumer choice programs offered by jurisdictional utilities: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order continuing the workshop previously scheduled for September 13, 2005, to September 21, 2005, at 1:30 p.m. in the Commission Library, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting. Commissioner Jerry Vap was appointed as Hearing Officer.

Laura Demman provided a report on the number and nature of natural gas consumer inquiries and complaints received during the previous month, as well as summarizing activity for the 2004-2005 fiscal year.

TRANSPORTATION DEPARTMENT

M-14147 In the Matter of Jeannie Murphy Matthews, dba Murphy Moving, Omaha: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order to show cause and schedule a hearing for August 2, 2005, at 3:00 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

B-1668 In the Matter of Fairbury Taxi, Inc., LLC, dba Fairbury Taxi, Fairbury, seeking to acquire, through transfer, the authority granted to Yellow Cab & Limo, Inc., Beatrice, in Certificate B-1434, Supplements One and Two: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an Order Nunc Pro Tunc to change the wording in the final order. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

M-14187 In the Matter of Miracle Movers, Inc., Lincoln, seeking to acquire, through transfer, the authority granted to Nebraska Bulk Transports, Inc., Bennett, in Certificate M-11876: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application and revoking Certificate M-11876. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

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 retained at 50 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-2135 In the Matter of Wilhelm Grain Co., Inc., Humboldt: Upon agreement of all Commissioners present, authorization was granted for the ratification of the bond release and assignment form from Nationwide Insurance Company.

Grain Dealer Division

GD-2007 In the Matter of Vering's Feed Service, Inc., Howells, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending March 31, 2006: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

GENERAL ADMINISTRATION

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Frank Landis voting AYE, Commissioner Jerry Vap excused not voting.

DAS Risk Management	\$	22,178.00
DAS Risk Management		4,954.00
UNL-Bureau of Business Research		12,908.25
Kelly Services		603.00
Gerald Vap		190.36

There being no need to address any matters in closed session, the meeting adjourned at 10:25 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson and Landis present and Commissioner Vap excused. The next regularly scheduled meeting will be held on July 12, 2005, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on July 11, 2005.

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Vice-Chairman

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Executive Director