

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

GENERAL ADMINISTRATION

Notice was duly published October 11, 2005 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held October 18, 2005 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, October 18, 2005:

911-014/ Commission Hearing Room, Lincoln.
PI-99 In the Matter of the Commission, on its own motion, seeking
1:30 to investigate issues related to the current state of land-
line and enhanced wireless 911 service and the means to
ensure statewide access to landline 911 and enhanced wire-
less 911 service. Commissioner Vap presiding as Hearing
Officer.

Wednesday, October 19, 2005:

NG-0031 Commission Hearing Room, Lincoln.
1:30 In the Matter of Aquila, Inc., d/b/a Aquila Networks
(Aquila), Omaha, seeking authority for Limited Cost
Recovery in the State of Nebraska. Commissioner Frank
Landis presiding as Hearing Officer.

Friday, October 21, 2005:

LR 136/ Trails West YMCA Camp, 1918 South Beltline Highway West,
143/144 Scottsbluff. Legislative hearings on LR 136, 143, and 144.
9:00

COMMUNICATIONS DEPARTMENT

C-3324 In the Matter of N.E. Colorado Cellular, Inc., d/b/a Viaero
Wireless, Fort Morgan, Colorado, seeking a designation as
an eligible telecommunications carrier under 47 U.S.C. Section
214(e)(2). Commissioner Vap presiding as Hearing Officer: Motion
made by Commissioner Frank Landis, seconded by Commissioner Lowell
Johnson, to enter an order granting the application. Motion passed
with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry
Vap voting AYE, and Commissioner Rod Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3468 In the Matter of Sprint Long Distance, Inc., Overland Park, Kansas, seeking authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-3475 In the Matter of Manhattan Telecommunications Corporation, dba Metropolitan Telecommunications, New York, New York, seeking transfer of control of Business Productivity Solutions, Inc., Minneapolis, Minnesota: 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, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-3476 In the Matter of Citizens Telecommunications Company of Nebraska, Mound, Minnesota, seeking approval of the inter-connection agreement with Cricket Communications, Inc., San Diego, California: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

E-1979 In the Matter of Norris Public Power District, Beatrice, seeking cancellation of authority to construct, operate and maintain an electric transmission line in Lancaster County: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order canceling the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

E-2000 In the Matter of Norris Public Power District, Beatrice, seeking cancellation of authority to construct, operate and maintain an electric transmission line in Lancaster County: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order canceling the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Gene Hand reported on the October 13, 2005 Lincoln Journal Star article that reported Sprint Communications Company appealed the Commission's decision in Docket C-3429, the arbitration between Sprint and Southeast Nebraska Telephone Company, Falls City.

UNIVERSAL SERVICE FUND

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to schedule a hearing for December 6, 2005 at 1:30 p.m. in the Commission Hearing Room, Lincoln, on the following complaints. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

NUSF-37.56 Telstra, Inc.
NUSF-37.58 360 Networks (USA)
NUSF-37.59 Business Telecom, Inc.
NUSF-37.60 CommSouth Companies, Inc.
NUSF-37.63 Norstan Network Services
NUSF-37.64 CIII / Broadwing Communications
NUSF-37.66 BullsEye Telecom, Inc.
NUSF-37.67 LDMI Long Distance
NUSF-37.68 Sodtown Telephone Company
NUSF-37.69 WorldxChange Corporation
NUSF-37.70 Trinsic, f/k/a Z-Tel, Inc

NUSF-48 In the Matter of the Commission, on its own motion, seeking to investigate issues related to providing dedicated universal service support for wireless telecommunications services: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order to approve wireless support through a separate program. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Jeff Pursley reported on Late-Filed Carrier Remittances. Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, that late fees be levied against Network Communications International Corporation and Talk America, Inc. and, that a complaint be filed against Virgin Mobile USA. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

E911 DEPARTMENT

911-011/ In the Matter of the Commission, on its own Motion, seeking
PI-79 to establish Phase II Enhanced Wireless 911 Service imple-
mentation: Motion made by Commissioner Frank Landis,
seconded by Commissioner Lowell Johnson, to enter an order adopting
guidelines for GIS Funding. Motion passed with Commissioners Lowell
Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle
voting NAY, and Commissioner Rod Johnson Excused Not Voting.

E911 DEPARTMENT (Cont.)

PSAP-011.2 In the Matter of Merrick County PSAP, Central City, seeking funding for recurring and non-recurring costs of Wireless E-911 implementation: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis, Jerry Vap voting AYE, and Commissioner Rod Johnson Excused Not Voting.

PSAP-018.2 In the Matter of Cheyenne County PSAP, Sidney, seeking funding for recurring and non-recurring costs of Wireless E-911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis, Jerry Vap voting AYE, and Commissioner Rod Johnson Excused Not Voting.

PSAP-029.1 In the Matter of Saline County PSAP, Wilber and Crete, seeking funding for recurring and non-recurring costs of Wireless E-911 implementation: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis, Jerry Vap voting AYE, and Commissioner Rod Johnson Excused Not Voting.

PSAP-029.2 In the Matter of Saline County PSAP, Wilber and Crete, seeking approval of additional funding for costs of Wireless E-911 implementation: 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, Frank Landis, Jerry Vap voting AYE, and Commissioner Rod Johnson Excused Not Voting.

PSAP-036.2 In the Matter of Lancaster County PSAP, Lincoln, seeking additional funding for recurring and non-recurring costs of Wireless E-911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis, Jerry Vap voting AYE, and Commissioner Rod Johnson Excused Not Voting.

PSAP-036.3 In the Matter of Lancaster County PSAP, Lincoln, seeking additional funding for recurring and non-recurring costs of Wireless E-911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis, Jerry Vap voting AYE, and Commissioner Rod Johnson Excused Not Voting.

E911 DEPARTMENT (Cont.)

WSP-004.2 In the Matter of NPCR, d/b/a Nextel Partners, Kirkland, Washington, seeking funding for recurring and non-recurring costs of Wireless E-911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis, Jerry Vap voting AYE, and Commissioner Rod Johnson Excused Not Voting.

Kara Thielen informed the Commission that she had received a request from Kearney County to be reimbursed for \$99,201 for equipment purchased.

Kara Thielen updated the Commission on the latest Payment Report.

Kara Thielen provided a copy of a bill insert distributed by Alltel Wireless.

LEGISLATIVE REPORT

Angela Melton reported on, and the Commission discussed, interim study resolution hearings.

TRANSPORTATION DEPARTMENT

TR-148 In the Matter of Golden Plains Service, Inc., dba High Plains Cab Service, McCook, seeking authority to adjust its rates and charges: The hearing previously scheduled for November 7, 2005, was canceled.

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 86 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-1930 In the Matter of The St. Paul Fire and Marine Insurance Company seeking cancellation of its Continuous Public Grain Warehouse Bond No. 400HW2787 in the amount of \$244,500.00, issued on behalf of Mueller Grain, Inc., Emerson and Pender: Bond cancelled effective September 27, 2005.

GW-2113 In the Matter of John A. Fecht, Director, Grain Warehouse Department, Complainant, v. Aurora Cooperative Elevator Company, Aurora, Defendant: The hearing previously scheduled for October 19, 2005, was continued to a date later to be determined.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

Grain Dealer Division

GD-1930 In the Matter of The St. Paul Fire and Marine Insurance Company seeking cancellation of its Continuous Public Grain Warehouse Bond No. 400SN6450 in the amount of \$300,000.00, issued on behalf of Mueller Grain, Inc., Emerson and Pender: Bond cancelled effective September 27, 2005.

GENERAL ADMINISTRATION

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

Liberty Consulting Group	\$	4,021.12
Thomson West		573.92
Rod Johnson		373.45
Frank Landis		46.56
Gerald Vap		911.84

Upon agreement of all Commissioners present, authorization was granted for Fred Massing to travel to Clay Center, Kansas on October 18, 2005, to conduct a modular unit housing factory inspection at Wardcraft Homes with all expenses, including time, to be reimbursed by Wardcraft Homes.

Upon agreement of all Commissioners present, authorization was granted for Tim Sandusky to travel to Overland Park, Kansas to attend the 2005 Federal Railroad Administration Track Recurrency Class from December 5-9, 2005. All expenses, including lodging, meals and mileage to be reimbursed by the Federal Railroad Administration.

There being no need to address any matters in closed session, the meeting adjourned at 11:03 a.m. with Commissioners Boyle, Lowell Johnson, Landis and Vap present and Commissioner Rod Johnson excused. The next regularly scheduled meeting will be held on October 25, 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 October 24, 2005.

Chairman

Executive Director