

Chairman Vap called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

GENERAL ADMINISTRATION

Notice was duly published December 13, 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 December 20, 2005 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Tuesday, January 3, 2006:

C-3469 Commission Hearing Room, Lincoln.
2:00 In the Matter of Budget Phone, Inc., Shreveport, Louisiana, seeking designation as an eligible telecommunications carrier (ETC) in the state of Nebraska. Commissioner Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-2831/ In the Matter of the Commission, on its own motion, seeking
NUSF-51/ to investigate telecommunications infrastructure develop-
PI-67 ment in Nebraska: Motion made by Commissioner Frank
Landis, seconded by Commissioner Lowell Johnson, to enter
an order seeking comment. Motion passed with Commissioners Anne
Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting
AYE.

C-3483 In the Matter of Comm South Companies, Inc., Dallas, Texas,
seeking to discontinue residential local exchange and
interexchange services within the state of Nebraska: Motion made by
Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to
enter an order granting permission to withdraw tariff and cancel
certificate. Motion passed with Commissioners Anne Boyle, Lowell
Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3502 In the Matter of Qwest Corporation, Denver, Colorado,
seeking a triennial review order and a triennial review
order amendment to the interconnection agreement with New Rochelle
Telephone Company, White Plains, New York, within the state of
Nebraska: Motion made by Commissioner Anne Boyle, seconded by
Commissioner Frank Landis, to enter an order approving the applica-
tion. Motion passed with Commissioners Anne Boyle, Lowell Johnson,
Rod Johnson, Frank Landis and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3503 In the Matter of Qwest Corporation, Denver, Colorado, seeking a triennial review order and a triennial review order amendment to the interconnection agreement with FiberComm, LLC, Sioux City, Iowa, within the state of Nebraska previously granted in Docket C-2609: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3504 In the Matter of Qwest Corporation, Denver, Colorado, seeking an interim period agreement amendment with XO Communications Services, Inc., Salt Lake City, Utah, previously granted in Docket C-3295: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E-2090 In the Matter of Niobrara Valley Electric Membership Corporation, O'Neill, seeking authority to construct, operate and maintain an electric transmission line in Holt County: 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, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E-2091 In the Matter of Niobrara Valley Electric Membership Corporation, O'Neill, seeking authority to construct, operate and maintain an electric transmission line in Holt County: 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, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3469 In the Matter of Budget Phone, Inc., Shreveport, Louisiana, seeking Designation as an Eligible Telecommunications Carrier (ETC) in the state of Nebraska. Commissioner Jerry Vap appointed as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer order was entered on December 20, 2005, continuing the hearing previously scheduled for January 3, 2006, to a date later to be determined and scheduling a prehearing conference for January 12, 2006 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

Gene Hand updated the Commission on the status of three Nebraska Internet Enhancement Fund grants.

Gene Hand informed the Commission that public meetings will be held in February and March, 2006 regarding Omaha Public Power District's proposed power line between Nebraska City and Lincoln.

UNIVERSAL SERVICE FUND

NUSF-51/ In the Matter of the Commission, on its own motion, seeking
C-2831/ seeking to investigate telecommunications infrastructure
PI-67 development in Nebraska: Action was taken under the Com-
munication's agenda.

NUSF-47 In the Matter of Orbitcom, Inc., requesting universal
service support for supported services provided in Qwest
exchanges: Jeff Pursley discussed the Hearing Officer's Order dated
December 16, 2005, scheduling a hearing for January 11, 2006 at 2:30
p.m. in the Commission Hearing Room, Lincoln.

E911 DEPARTMENT

PSAP-010.2 In the Matter of Hamilton County PSAP, Aurora, seeking
funding approval for recurring and non-recurring costs for
Enhanced Wireless E-911 implementation: Motion made by Commissioner
Rod Johnson, seconded by Commissioner Frank Landis, to enter an order
granting the application. Motion passed with Commissioners Anne Boyle,
Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

PSAP-039.3 In the Matter of Norfolk Police Department, Norfolk, seek-
ing funding for recurring and non-recurring costs of
Wireless E-911 implementation: Motion made by Commissioner Lowell
Johnson, seconded by Commissioner Rod Johnson, to enter an order
granting the application. Motion passed with Commissioners Anne Boyle,
Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

PSAP- In the Matter of Dodge County PSAP, Fremont, seeking
GISD-006 approval of funding for development of GIS data: Motion
made by Commissioner Lowell Johnson, seconded by Commis-
sioner Rod Johnson, to enter an order granting the application.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod
Johnson, Frank Landis and Jerry Vap voting AYE.

PSAP- In the Matter of Hamilton County PSAP, Aurora, seeking
GISD-010 approval of funding for development of GIS data: Motion
made by Commissioner Lowell Johnson, seconded by Commis-
sioner Rod Johnson to enter an order granting the application. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

PSAP- In the Matter of Keith County PSAP, Ogallala, seeking
GISD-013 approval of funding for development of GIS data: Motion
made by Commissioner Lowell Johnson, seconded by Commis-
sioner Rod Johnson to enter an order granting the application. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

E911 DEPARTMENT (Cont.)

PSAP- In the Matter of Harlan/Phelps Counties PSAP, seeking
GISD-024 approval of funding of development of GIS data: Motion
made by Commissioner Lowell Johnson, seconded by Commis-
sioner Rod Johnson to enter an order granting the application. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

PSAP- In the Matter of Clay County PSAP, Clay Center, seeking
GISD-028 approval of funding for development of GIS data: Motion
made by Commissioner Lowell Johnson, seconded by Commis-
sioner Rod Johnson, to enter an order granting the application.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod
Johnson, Frank Landis and Jerry Vap voting AYE.

PSAP- In the Matter of Gage County PSAP, Beatrice, seeking
GISD-033 approval of funding for development of GIS data: Motion
made by Commissioner Lowell Johnson, seconded by Commis-
sioner Rod Johnson to enter an order granting the application. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

PSAP- In the Matter of Red Willow County PSAP, McCook, seeking
GISD-038 approval of funding for development of GIS data: Motion
made by Commissioner Lowell Johnson, seconded by Commis-
sioner Rod Johnson to enter an order granting the application. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

Kara Thielen updated the Commission on a payment report.

NATURAL GAS DEPARTMENT

NG-0012.1 In the Matter of the Public Alliance for Community Energy
(ACE), seeking additional authority as a Competitive
Natural Gas Provider to serve the entire state of Nebraska. Commis-
sioner Landis presiding as Hearing Officer: Laura Demman reported
that a Prehearing Conference Order was entered by the Hearing Officer
December 16, 2005, providing a processing schedule and scheduling a
hearing for January 23, 2006, at 1:30 p.m. in the Commission Hearing
Room, Lincoln.

RULES AND REGULATIONS

Rule and Regulation #157A In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 9, Natural Gas and Pipeline Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 790 [2003]. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order releasing a fifth set of rules and scheduling a public hearing for February 22, 2006 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1599 In the Matter of A & R Klassic Kars Limousine Service, LLC, Omaha, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1599 until December 1, 2006: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to enter an order granting the application and suspending the certificate in B-1599. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

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 54 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-182 In the Matter of Haveman Grain Co., Inc., Murray, seeking cancellation of its Grain Dealer License: Application was granted.

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, Frank Landis and Jerry Vap voting AYE.

HHS Finance & Support	\$ 615.20
Larry Fauss	800.00
Lowell Johnson	205.68
Gerald Vap	1,139.80

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Aksarben TDD Service	\$ 1,911.70
Alternative Hearing	1,309.25
Associated Hearing Health Care	76.00
B Hear Inc.	989.20
Beltone Hearing Aid Center	1,184.15
Hamilton Telecommunications	61.72
Hearing Aid Specialists	729.80
Carl A. Johnson	371.80
K & D Communications	10,730.35
Professional Hearing Aid Services	689.90
Sherard Hearing Aid Center	813.00
Teltex	753.80
Hearing Clinic Inc.	1,310.00
Weitbrecht Communications	3,331.35
Western ENT Associates	139.95

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to go into closed session to discuss personnel and investigatory matters. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE. The Commission went into closed session at 10:26 a.m.

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to return to open session. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE. The Commission returned to open session at 10:35 a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to set the mileage reimbursement rate for field staff using personal vehicles to \$0.35/mile. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to accept Ms. Kathy Ptacek's notice of retirement and open the NTAP Specialist position. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

The meeting adjourned at 10:36 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on Wednesday, January 11, 2006, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on Tuesday, January 10, 2006.