

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

GENERAL ADMINISTRATION

Notice was duly published January 26, 2006 on Page 11 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 31, 2006 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, January 31, 2006:

C-3469 Commission Hearing Room, Lincoln.
1:30 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 presiding as Hearing Officer.

1:30 Room 1113, State Capitol
LB 800 (Registration of Communications providers)
LB 1069 (HHS motor carriers)

1:30 Room 1510, State Capitol
LB 1249 (Natural Gas Act changes)

Wednesday, February 1, 2006:

1:30 Room 1507, State Capitol
LB 981 (GIS Data)

Thursday, February 2, 2006:

1:30 Room 1003, State Capitol.
Hearing for Legislative approval on deficit requests.

Monday, February 6, 2006:

C-3497 Commission Hearing Room, Lincoln.
10:00 In the Matter of Alltel Communications of Nebraska, Inc., Little Rock, Arkansas, seeking designation as an Eligible Telecommunications Carrier Pursuant to Section 214(e)(2) of the Communications Act of 1934. Commissioner Frank Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3518 In the Matter of Horizon Telecom, Inc. and Debbie Secrest, Las Vegas, Nevada, seeking authority to transfer control of stock to Robert Sorrentino, Burlington, New Jersey, pursuant to a Stock Purchase Agreement: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, 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-3519 In the Matter of Big River Telephone Company, LLC, Cape Girardeau, Missouri, seeking authority to operate as a local exchange and interexchange carrier of telecommunication services within the state of Nebraska: Commissioner Frank Landis was appointed as Hearing Officer. The Commission was informed of the interventions that have been filed.

C-3517 In the Matter of Alltel Communications of Nebraska, Inc., Little Rock, Arkansas, seeking an interconnection agreement and service resale agreements with Unite Private Networks, Kearney, Missouri: Motion made by Commissioner Jerry Vap, 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-2027 In the Matter of the Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte County: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order to grant an extension. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E-2094 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Keith and Lincoln Counties: 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.

C-3497 In the Matter of Alltel Communications of Nebraska, Inc., Little Rock, Arkansas, seeking designation as an Eligible Telecommunications Carrier Pursuant to Section 214(e)(2) of the Communications Act of 1934. Gene Hand informed the Commission that the motion to admit non-resident attorney, Matthew A. Slaven, on behalf of Alltel Communications of Nebraska, Inc. was granted by hearing officer order entered on January 30, 2006.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand informed the Commission that a letter from Verizon Wireless was received on January 25, 2006, asking the Commission to overturn NeuStar's denial of Verizon's request for two thousand-blocks of numbers in the Lincoln Rate Center. Verizon has recently started offering wireless service in Lincoln and the request has been made to ensure sufficient numbering resources are available to meet the anticipated demand from new customers. Numbers will come from the existing pool of numbers and will not jeopardize the current life of the 402 Area Code. The staff has reviewed the specific information Verizon has provided to support the request for a safety valve and upon investigation, believes this request meets the criteria provided by the Federal Communications Commission (FCC) in NRO-III at §64. Motion made by Commissioner Anne Boyle, seconded by Frank Landis, to send NeuStar a letter requesting them to waive the FCC requirements for utilization and months to exhaust and issue two thousands-blocks, (402)613-2xxx and (402)613-3xxx, to Verizon (OCN 5807).

Gene Hand reviewed the ex parte presentation made by the National Telecommunications Cooperative Association to the FCC concerning the eight pending state petitions for further delegated numbering authority made on January 25, 2006. Upon agreement of all Commissioners, the Commission staff will circulate a draft response to the ex parte.

Gene Hand discussed the notice from the FCC regarding the FCC's Wireline Competition Bureau seeking comment on a petition to redefine certain service areas of rural telephone companies in the state of Nebraska.

UNIVERSAL SERVICE FUND

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #5 to establish guidelines for administration of the Nebraska
Universal Service Fund: Motion made by Commissioner Jerry
Vap, seconded by Commissioner Rod Johnson, to approve the exceptions
to the agreed upon procedures language for the NUSF-EARN Form Audits
for telephone companies of Arapahoe Telephone Company; Cozad Telephone
Company; Elsie Communications; Diller Telephone Company, and Hartman
Telephone Company. Motion passed with Commissioners Anne Boyle,
Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #7 to establish guidelines for administration of the Nebraska
Universal Service Fund: Motion made by Commissioner Frank
Landis, seconded by Commissioner Rod Johnson, to approve the excep-
tions to the agreed upon procedures language for the Remittance Work-
sheet Audits for Nebraska Technology and Telecommunications. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

UNIVERSAL SERVICE FUND (Cont.)

NUSF-1, PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to grant U.S. Cellular's request to extend the December 31, 2005 deadline to file their Remittance Worksheet audit. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-26 In the Matter of the Commission, on its own motion, seeking to establish a long-term universal service funding mechanism: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve \$66,500,000 to be allocated for general distribution in the NUSF-26 methodology and, that a total of approximately \$85,000,000 of high cost support be paid during the calendar year of 2006. Also, \$1,100,000 and \$825,000 are allocated for the Nebraska Telephone Assistance Program (NTAP) and Tele-Health programs respectively in the calendar year of 2006. It was noted by Mr. Pursley that portions of the high cost and Tele-Health support is contingent upon the actions of various parties including the completion of NUSF-51 and Commission approval of Qwest's application request in NUSF-7.07. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Jeff Pursley reported on the Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve a late fee be levied against Gold Line Telemanagement and that complaints be opened against Startec Global Licensing and Talk America, Inc. Mr. Pursley also recommended that a complaint be opened against Access Point, Inc. for the non-receipt of three quarterly remittance worksheets and payments. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0012.1 In the Matter of the Public Alliance for Community Energy (ACE), Lincoln, seeking additional authority as a Competitive Natural Gas Provider to serve the entire state of Nebraska. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter Assessment Order HSD-001. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NG-0034 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking authority for Gas Cost Adjustment "Fixed Price Option Pilot Program" for residential customers in all Aquila rate areas in the state of Nebraska: Commissioner Rod Johnson appointed as Hearing Officer.

NATURAL GAS DEPARTMENT (Cont.)

P-0010 In the Matter of Metropolitan Utilities District of Omaha, Omaha, seeking resolution of a dispute under *Neb. Rev. Stat.* Section 57-1306. Commissioner Landis presiding as Hearing Officer: Hearing Officer Landis approved an order continuing the hearing previously scheduled for February 8, 2006 to March 22, 2006, at 10:00 a.m. at the Sarpy County Court House, Administrative Conference Room, 1210 Golden Gate Drive, Papillion.

RULES AND REGULATIONS

Rule and Regulation #160 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 15, Enhanced 911 Rules and Regulations, previously written under Title 291, Chapter 5, Telecommunications, and to adopt rules in accordance with Nebraska Legislative Bill 516 [2005]; adopt current policy standards; correct technical errors, grammar, punctuation, spelling, sequential numbering and the like; and reprint the chapter in its entirety: The Commission was informed that authorization to proceed was received from the Governor's Policy Research Office on January 23, 2006.

LEGISLATIVE REPORT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve a request for additional spending authority from the legislature in the amount of \$11 million for aid from the Wireless E911 program. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1554, Supp. 4 In the Matter of DJW, Inc., dba Luxury Limousine, Syracuse, seeking authority for the transportation of passengers as a limousine service between points in Lancaster County and between points within such county on the one hand, and, on the other hand, points in Nebraska over irregular routes: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1675 In the Matter of James V. Meyer, dba Paradise Limo, Blue Hill, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in limousine service between points in Webster, Adams, Clay, and Nuckols counties, and between points in said counties, on the one hand, and on the other hand, points 200 miles east of Webster County over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to grant the application as amended. 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 retained at 56 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-1154 In the Matter of Heartland Co-op, Juniata: John Fecht discussed the shortage of wheat, soybeans, and oats.

GW-1154 In the Matter of Heartland Co-op, Juniata, seeking to buy the grain represented on lost receipt B577437, issued to Patrick Ormond, Giltner and lost receipts B683128 and B683129, issued to William Ground, Jr., Hastings: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to grant the applications. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

GD-1339 In the Matter of Wright Lorenz Grain Co., Inc. Overland Park, Kansas, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending December 31, 2006: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

DAS Communications	\$ 3,404.07
University of NE - Lincoln	13,090.00
Larry Fauss	800.00
Gerald L. Vap	836.94

Upon agreement of all Commissioners, authorization was granted for Commissioner Boyle or Don Gray to attend meetings of the North American Numbering Council (NANC) to be held in Washington, DC throughout 2006.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to surplus the following property. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

1057	Dictaphone Voice Processor
1058	Chair
1210	Duplicator
1345	Gateway Monitor SN - 7245821
1358	Gateway Monitor SN - M15419551543
1366	Lexmark 5700 Printer SN - 1864572
1372	Chair
1379	Compaq Monitor SN - 906CD61SN507
1380	Compaq Monitor SN - 906CD61SN512
1382	Compaq Monitor SN - 906CD61S/N516
1383	Gateway Monitor SN - 17014C034193
1386	Gateway Monitor SN - P909115560
1390	Lexmark 3200 Printer SN - 0898338
1393	Lexmark 3200 Printer SN - 1061458
1402	Server SN - 01-7111-0005-117505
1422	Epson 660 Printer SN - VS91071317
1425	Compaq Monitor SN - 935CD61SS167
1468	Dell Computer SN - J8P0B01
1474	Dell Computer SN - HSP0B01
	Gateway Monitor SN - M1A8J2051365
	Gateway Monitor SN - M15411252021
	Gateway Monitor SN - 17004A011029
	Gateway Monitor SN - 7000244
	3 Green Chairs
	Pentax Camera
	Handheld Scanner/Printer
	Handheld Tape Recorder
	AB Switch
	Answering Machine
	Multi Printer Port

There being no need to address any matters in closed session, the meeting adjourned at 10:46 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on February 7, 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 February 6, 2006.

Chairman

Executive Director