

Acting Chairman Jerry Vap called the regularly scheduled meeting to order at 9:31 a.m. with Commissioners Boyle, Landis and Vap present, and Commissioners Lowell Johnson and Rod Johnson excused. The meeting was delayed due to road construction between Omaha and Lincoln. Acting Chairman Vap invited the public to address the Commission at any point during the meeting and announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published August 29, 2006 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 6, 2006 at 9:00 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. She reported that there were a total of 100 complaints taken in the month of August 2006, 63 wireline and 37 wireless. The areas of concerns were 53 billing, 38 service and 9 miscellaneous issues. She also reported that there have been complaints regarding the migration of customers from Cellular One to US Cellular which are still under investigation.

AD-355r In the Matter of True Logic Financial Corporation, Englewood, Colorado, seeking authority to register and connect an automatic dialing-announcing device: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

AD-356r In the Matter of The Best Service Co., Inc., Los Angeles, California, seeking to register and connect an automatic dialing-announcing device: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

FC-1322 In the Matter of Amy Miller, Legal Director and Representative of the American Civil Liberties Union Nebraska, Lincoln vs. AT&T, Lincoln, alleging disclosure of customer's private phone records without customer's knowledge or consent. Commissioner Anne Boyle presiding as Hearing Officer: An oral argument was scheduled for 1:30 p.m. on October 3rd, 2006, in the Commission Hearing Room, Lincoln, and the Commissioners were notified of the Hearing Officer Order entered September 6, 2006 granting admission to a nonresident attorney.

COMMUNICATIONS DEPARTMENT (Cont.)

FC-1324 In the Matter of Amy Miller, Legal Director and Representative of the American Civil Liberties Union Nebraska, Lincoln vs. Verizon, Lincoln, alleging disclosure of customer's private phone records without customer's knowledge or consent. Commissioner Anne Boyle presiding as Hearing Officer: An oral argument was scheduled for 1:30 p.m. on October 3rd, 2006, in the Commission Hearing Room, Lincoln.

C-3658 In the Matter of OCMC, Inc., d/b/a One Call Communications and/or Opticom ("OCMC"), Carmel, Indiana, seeking to withdraw their interexchange authority of telecommunication services in the state of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order to withdraw the application. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving applications C-3649 through C-3664. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

C-3649 In the Matter of Qwest Corporation, Denver, Colorado, seeking an interim rate amendment to an interconnection agreement with MCImetro Access Transmission Services, McLean, Virginia, previously granted in C-2257.

C-3650 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Type 1 and Type 2 paging interconnection service agreement with Telephone Systems of Nebraska, Inc., Grand Island.

C-3660 In the Matter of Qwest Corporation, Denver, Colorado, seeking a single point of presence (SPOP) amendment to the interconnection agreement with HunTel CableVision, Inc., d/b/a HunTel Communications, Blair, previously granted in C-2921.

C-3664 In the Matter of Qwest Corporation, Denver, Colorado, filing under protest of the Commercial Agreement with Comtel Telcom Assets LP, d/b/a Excel Telecommunications, Carrollton, Texas, for Provision Qwest Platform Plus Service (QPP).

Gene Hand informed the Commission that a letter from Qwest was received on August 31, 2006, asking the Commission to overturn Neustar's denial of Qwest's request for a thousand-block of numbers in the McCook Rate Center. Qwest has a dedicated customer who needs 200 consecutive numbers in any numbering block other than 0 or 9 that Qwest is unable to fill from its existing resources. Numbers will come from the existing pool of numbers and will not jeopardize the current life of the 308 Area Code. The staff has reviewed the specific infor-

COMMUNICATIONS DEPARTMENT (Cont.)

mation Qwest has provided to support the request for a safety valve and upon investigation, believes this request meets the criteria provided by the FCC in NRO-III at §64: Upon agreement of all Commissioners present, a letter granting the safety valve request should be prepared and sent to NeuStar under Chairman Johnson's signature.

Gene Hand informed the Commission of the upcoming Nebraska Internet Enhancement Fund (NIEF) Advisory Board meeting scheduled for September 12, 2006, at 1:30 p.m. in the Commission Library, Lincoln, with video sites at Chadron State College, Student Center, Scottsbluff Room, 10th & Main, Chadron; McCook Community College, McMillen Hall, Room 208, 1205 East 3rd Street, McCook; and Western Nebraska Community College, Room 122, 371 College Drive, Sidney.

Gene Hand reported on one automatic dialing-announcing device complaint.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-024 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the release of GIS data to the Nebraska State Patrol. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

NUSF-37.85 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant vs. Buzz Telecom Corporation: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

NUSF-54 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant v. Business Options, Inc., Respondent: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order dismissing the show cause. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

NUSF-53/
DC-71 In the Matter of Maurice Gene Hand, Director, Communications Department and Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainants v. Qwest Corporation, Respondent: Jeff Pursley reported on the Hearing Officer's Order entered August 30, 2006 granting a motion for leave to submit a second supplemental testimony and to request reply briefs due on or before September 8, 2008.

LEGISLATIVE REPORT

Andy Pollock told the Commissioners he would have a preliminary list of legislative ideas before the September 19 Grist meeting.

TRANSPORTATION DEPARTMENT

Rate Division

BR-319 In the Matter of R&F Hobbies, Inc., d/b/a Prince of the Road, Ravenna, seeking authority to adjust its rates and charges: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to table the application. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

LR-270 In the Matter of VIP Limousine, Omaha, seeking authority to adjust its rates and charges: A video hearing was scheduled for September 20, 2006, at 1:30 p.m. in the Commission Library, Lincoln, and the Omaha State Office Building, Room 207, 1313 Farnam Street, Omaha. Commissioner Boyle was appointed Hearing Officer.

TR-155 In the Matter of Happy Cab, Omaha, seeking authority to adjust its rates and charges: A video hearing was scheduled for September 20, 2006, at 2:30 p.m. in the Commission Library, Lincoln, and the Omaha State Office Building, Room 207, 1313 Farnam Street, Omaha. Commissioner Boyle was appointed Hearing Officer.

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 decreased to 76 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-2132 In the Matter of The Scoular Company, Sidney: John Fecht reported on the shortage of millet.

GW-2133 In the Matter of The Scoular Company, Hershey: John Fecht reported on the shortage of corn.

GW-267 In the Matter of Greenwood Farmers Cooperative, d/b/a Midwest Farmers Cooperative, Elmwood, seeking to terminate the storage contracts represented by receipt B659918 and numerous scale tickets issued to Hauschild Farms, Inc., c/o Allan Hauschild, Avoca: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order terminating the storage on these contracts. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GW-2132 In the Matter of The Scoular Company, Sidney, seeking to buy the grain represented on lost receipt B681716: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to grant the application. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

GENERAL ADMINISTRATION

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

Ted Burkey	\$1,580.00
Hewlett Packard	796.00
Robert Bowman	844.52
Fred Massing	1,292.16
Kent Pribyl	913.45
Nichole Underhill	586.63
Anne Boyle	480.60
Lowell Johnson	235.90
Frank Landis	68.00

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the Commission minutes for the month of August 2006. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

Upon agreement of all Commissioners present, authorization was granted for Commissioner Boyle, Gene Hand and Jeff Pursley to travel to Washington, DC on September 22, 2006, to attend a meeting on the Missoula Plan.

Upon agreement of all Commissioners present, authorization was granted for Commissioner Lowell Johnson to attend the 2006 TRS Advisory Council Meeting from September 6-7, 2006 in Louisville, Kentucky, with all expenses to be paid by the National Exchange Carrier Association.

Upon agreement of all Commissioners present, authorization was granted for Fred Massing to travel to Clay Center, Kansas on September 7, 2006, to conduct a modular housing unit factory inspection at Wardcraft Homes with all expenses, including time, to be reimbursed by Wardcraft Homes.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation on probation of a grain warehouse employee. Motion passed with Commissioners Anne Boyle, Frank Landis and Jerry Vap voting AYE, and Commissioners Lowell Johnson and Rod Johnson excused not voting.

The meeting adjourned at 10:06 a.m. with Commissioners Boyle, Landis and Vap present, and Commissioners Lowell Johnson and Rod Johnson excused. The next regularly scheduled meeting will be held on September 12, 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 September 11, 2006.

Acting Chairman

Executive Director