

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:03 a.m. with Commissioners Johnson, Landis, Schram and Vap present, and Commissioner Boyle excused at the beginning of the meeting. Chairman Johnson also invited the public to address the Commission at any point during the meeting. He also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published January 23, 2007 on Page 10 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 30, 2007 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 30, 2007:

- C-3731 Commission Hearing Room, Lincoln.
11:30 In the Matter of Curtis Telephone Company, Curtis, Consolidated Companies, Inc., Lincoln and Curtis Transitory Sub, Inc., Lincoln, seeking approval of a change of controlling interest in Curtis Telephone Company. Commissioner Vap presiding as Hearing Officer.
- NUSF-50 Commission Hearing Room, Lincoln. Prehearing conference.
1:30 In the Matter of the Commission, on its own motion, seeking to make adjustments to the universal service fund mechanism established in NUSF-26. Commissioner Landis presiding as Hearing Officer.

Commissioner Boyle entered the Commission Hearing Room.

Wednesday, January 31, 2007:

- M-14192 Commission Library, Lincoln and Nebraska State Office
9:30 Building, Room 207, 1313 Farnam Street, Omaha.
In the Matter of Hermanos Rodriguez, Inc., d/b/a Rodriguez Brothers, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in Nebraska over irregular routes. Commissioner Boyle presiding as Hearing Officer.
- NUSF-64 Atrium Conference Center, Lincoln. Workshop.
1:00 In the Matter of the Commission, on its own motion, seeking to investigate the use of expense caps in the earnings calculation for Nebraska universal service fund support.

COMMUNICATIONS DEPARTMENT

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund. Commissioner Johnson presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order awarding grants. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3702/ In the Matter of the Commission, on its own motion, seeking NUSF-60/ to investigate Clark's Access Rates. Commissioner Johnson PI-123 presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3733 In the Matter of Acceris Management and Acquisition, LLC, San Diego, California and New Access Communications LLC, Minneapolis, Minnesota, seeking to transfer assets to First Communications, LLC, Akron, Ohio: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3735 In the Matter of Cognigen Networks, Inc., Mountlake Terrace, Washington, seeking to discontinue long distance service to certain end-users in the state of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

CC Docket In the Matter of Telephone Number Portability Petition 95-116 for Declaratory Ruling and request that the Federal Communication Commission (FCC) remove uncertainty and end an ongoing controversy regarding the Commission's requirement that only necessary validation procedures be utilized in the porting process: Gene Hand informed the Commission of the T-Mobile USA and Sprint Nextel Corporation Petition filed with FCC and presented draft comments for filing. Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve filing the comments. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

CC Docket In the Matter of developing a Unified Intercarrier Compensation Regime: Motion made by Commissioner Anne Boyle, 01-92 seconded by Commissioner Tim Schram, to approve filing with the FCC the Federal Benchmark Mechanism as an amendment to the Missoula Plan. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion also made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve filing joint Missoula Plan reply comments with Maine and Vermont. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

DC-71/
NUSF-53 In the Matter of Maurice Gene Hand, Director, Communica-
 tions Department, and Jeffrey L. Pursley, Director,
 Nebraska Universal Service Fund, Complainants, v. Qwest
Corporation, Respondent: Gene Hand informed the Commission that the
next compliance meeting was scheduled for February 13, 2007 at 2:00
p.m. in the Commission Library, Lincoln.

E-2133 In the Matter of the Lincoln Electric System, Lincoln,
 seeking authority to construct, operate and maintain an
electric transmission line in Lancaster County: Motion made by Com-
missioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an
order granting the application. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by
Commissioner Tim Schram, to suspend the tariff filed January 25, 2007,
by IDT America, Corp. increasing the charge to receive a paper bill
through regular mail. Motion passed with Commissioners Anne Boyle,
Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-019/
PI-118 In the Matter of the Commission, on its own motion, seeking
 to implement provisions of LB 1222 [2006] and to establish
 a permanent funding mechanism for wireless enhanced 911
service. Commissioner Boyle presiding as Hearing Officer: Motion
made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis,
to schedule a workshop on April 16, 2007, 9:00 to 5:00 p.m. in the
Atrium Conference Center, Suite #206, Atrium Building, Lincoln.
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE.

911-026/
PI-122 In the Matter of the Commission, on its own motion, seeking
 to determine Enhanced Landline 911 surcharge payment
 requirements for interconnected Voice Over the Internet
Protocol providers. Commissioner Landis presiding as Hearing Officer:
Motion made by Commissioner Frank Landis, seconded by Commissioner
Anne Boyle, to enter an order closing the docket. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1 PO #5 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order approving a petition filed by the Nebraska Telecommunications Association (NTA) to eliminate the monthly/quarterly line count report requirements. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-7.07 In the Matter of Qwest Corporation, Denver, Colorado, seeking issuance by the Commission of an order waiving certain requirements in the Opinion and Findings in Application C-1628 associated with the NUSF support calculation in the transition period: Jeff Pursley discussed the expenditures made by Qwest that qualify for NUSF support.

NUSF-30 In the Matter of the Commission, on its own motion, seeking to determine what is "reasonably comparable" with respect to rates charged for urban and rural consumers. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-34.12 In the Matter of the Commission, on its own motion, seeking to investigate the Remittance Audit filed by USCOC of Greater Iowa, Inc., for the 2004 calendar year. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order to dismiss the Show Cause and cancel the hearing previously scheduled for February 1, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-60/
C-3702
PI-123 In the Matter of the Commission, on its own motion, seeking to investigate Clarks Telecommunications Company's Access Rates. Commissioner Johnson presiding as Hearing Officer: An order was entered under the Communications Department agenda closing this docket.

NUSF-64 In the Matter of the Commission, on its own motion, seeking to investigate the use of expense caps in the earnings calculation for Nebraska universal service fund support. Commissioner Boyle presiding as Hearing Officer: Jeff Pursley informed the Commission that the location of the workshop scheduled for January 31, 2007 was moved to the Atrium Conference Center, Suite #206, Atrium Building, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley stated that the discussion and approval of the filing of comments to the Missoula Plan had been entered on the Communications' agenda.

NATURAL GAS DEPARTMENT

NG-0036 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter Assessment Orders HS-0010 and HS-0011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0039 In the Matter of Kinder Morgan, Inc., Houston, Texas; KM Retail Utilities Holdco LLC, Houston, Texas; Source Gas Distribution LLC, Lakewood, Colorado, Source Gas Holdings LLC, Stamford, Connecticut; and Source Gas LLC, Stamford, Connecticut; seeking approval of (1) the proposed transfer of Kinder Morgan, Inc.'s Nebraska Certificate of Convenience and utility assets to Source Gas Distribution LLC; and (2) the proposed change of control of Source Gas Distribution LLC from Kinder Morgan, Inc. to Source Gas LLC. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter Assessment Order HS-004. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0040 In the Matter of Kinder Morgan, Inc., Houston, Texas; KM Retail Utilities Holdco LLC, Houston, Texas; Source Gas Distribution LLC, Lakewood, Colorado, seeking approval of asset transfer of jurisdictional utility assets. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter Assessment Order HS-003. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter Assessment Order HS-002 and HS-003. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

RULES AND REGULATIONS

Rule and Regulation #162 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 12, Manufactured Housing Rules and Regulations, previously written under Title 178, Chapter 16, through Health and Human Services and to create an Ad Hoc Committee; correct technical errors, grammar, punctuation, spelling, sequential numbering and the like; and to reprint the chapter in its entirety: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter a Certificate of Adoption. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1575 In the Matter of Golden Plains Services LLC, d/b/a High Plains Cab Service, McCook, seeking to acquire, through transfer, the authority granted to A-1 Transportation, LLC, Omaha, in Certificate B-1642: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application and revoking Certificate B-1642. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1323 In the Matter of Judith E. Timms, Omaha vs. Apartment Movers of Omaha, Omaha: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order sustaining the complaint and levying a fine against Apartment Movers of Omaha, Omaha. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-14191 In the Matter of 911 Moving, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in Douglas County and Sarpy County and between points in said counties over irregular routes. Commissioner Boyle presiding as Hearing Officer: The video hearing previously scheduled for February 8, 2007, was continued to March 27, 2007 at 9:30 a.m. in the Commission Library, Lincoln and Nebraska State Office Building, Room 207, 1313 Farnam Street, Omaha.

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 remained the same at 52 cents per mile.

GENERAL ADMINISTRATION

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

DAS - Communications	\$3,102.30
Larry Fauss	960.00
Rod Johnson	426.53
Gerald Vap	911.84

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to grant authority to surplus vehicle #9455, a 1999 Ford Taurus Station Wagon. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve a contract with GDS Associates for services to be performed in Natural Gas Dockets NG-0039 and NG-0040. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to retain our present office location in the Atrium Building. Motion passed with Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE. The Commission briefly discussed various proposals submitted for office space available for renewal of the Commission lease. Commissioner Schram noted that the proposals were reviewed and evaluated on cost, public accessibility, functionality and accommodation of Commission business and found the present office location to be the best choice. Commissioner Boyle went on record stating that the Commissioner's recommendation was made after a majority of the Commissioners visited the sites best able to accommodate the Commission's business and with all Commissioners unanimously evaluating the present office location as the best choice.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to grant authorization for Gene Hand and John Burvainis to travel to and attend the staff only Regional Oversight Committee (ROC) meeting to be held in Denver, Colorado from April 5 through 6, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 11:00 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on February 6, 2007, 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 5, 2007.

Chairman

Executive Director