

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Boyle, Johnson, Landis and Schram present, and Commissioner Vap 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 30, 2007 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 6, 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:

Wednesday, February 7, 2007:

- 9:30 Commission Library, Lincoln and Nebraska State Office Building, Room 207, 1313 Farnam Street, Omaha. Commissioner Landis presiding as Hearing Officer.
- B-1685 In the Matter of James E. and Rhonda Joneson, d/b/a Leisure Limousine and Sedan Service, Lincoln, seeking to acquire, through transfer, the certificate held by A & R Klassic Kars Limousine Service, LLC, in Certificate B-1599.
- B-1690 In the Matter of SDG Transportation, Inc., d/b/a Classic Limousine Service, Oakland, Iowa, seeking to acquire the certificate held by A & R Klassic Kars Limousine Service, LLC, in Certificate B-1599.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission that 86 complaints were received in January, 2007. She reported that 57 were wireline and 29 wireless. The complaints were categorized as follows: 36 billing, 32 service and 18 miscellaneous issues.

AD-376r In the Matter of CUNA Mutual Group, Waverly, Iowa, seeking authority 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, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3740 In the Matter of PNG Telecommunications, Inc., d/b/a PowerNet Global Communications, Fairfield, Ohio, seeking authority to operate and offer local exchange and exchange access telecommunications services throughout the State of Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter orders granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-3743 In the Matter of Dalton Telecommunications, Inc., Charlotte North Carolina, seeking to adopt the trade names Dalton Long Distance and Elsie Long Distance: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter orders granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

CC Docket In the Matter of Numbering Resource Optimization Implemen- No. 99-200 tation of the Local Competition Provisions of the Telecommunications Act of 1996: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to file comments in support of Kentucky's petition for delegated numbering authority. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter orders granting the applications in Dockets C-3736 and C-3741. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-3736 In the Matter of Qwest Corporation, Denver, Colorado, seeking DC power reduction amendment to the interconnection agreement with McLeodUSA Telecommunications Services, Inc., Tulsa, Oklahoma, previously granted in Docket C-2023.

C-3741 In the Matter of Action Communications, Inc., Scottsbluff, seeking an interconnection agreement with United Telephone Company of the West, d/b/a Embarq, Overland Park, Kansas.

Gene Hand informed the Commission that IDT America Corporation will be withdrawing the suspended tariff filed January 25, 2007.

Commissioner Vap entered the Commission Hearing Room.

Gene Hand provided the Commission with copies of a Federal Communications Commission (FCC) press release announcing the release of new data on high-speed services for internet access.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3554/ In the Matter of the Commission, on its own motion, seeking
NUSF-50/ to investigate whether the zones established in Docket
PI-112 C-2516 are appropriate in light of NUSF-26 findings and
conclusions: Gene Hand discussed the Hearing Officer order
entered February 5, 2007, setting February 13, 2007, as the date staff
proposals will be available and March 30, 2007, as the due date for
comments, testimony and exhibits. A hearing was scheduled for April
10, 2007, at 1:30 p.m. in the Commission Hearing Room, Lincoln, and,
if necessary, continuing on April 11, 2007.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commis-
sioner Anne Boyle, to enter an order approving costs and incorporating
prior dockets under 911-022.10 and 911-022.12. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE.

911-022.10 In the Matter of PinPoint Wireless, Cambridge, seeking
funding approval for recurring and non-recurring costs of
Enhanced Wireless 911 implementation.

911-022.12 In the Matter of Swiftel, Brookings, South Dakota, seeking
funding approval for recurring and non-recurring costs of
Enhanced Wireless 911 implementation.

NUSF-7.07 In the Matter of Qwest Corporation, Denver, Colorado, seek-
ing issuance by the Commission, of an order waiving certain
requirements in the Opinion and Findings of Docket C-1628 associated
with the NUSF support calculation in the transition period: Motion
made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram,
to enter an order approving payment for a modified funding request.
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-25 In the Matter of the Commission, on its own motion, seeking
to establish guidelines for the purpose of certifying the
use of federal universal service support: Commissioner Boyle recom-
mended that certain language in the order be modified. Motion made by
Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to
enter an order seeking comments due on or before March 20, 2007 and
reply comments due on or before March 30, 2007. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE. Commissioner Landis was appointed Hearing
Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-66 In the Matter of the Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of state universal service support: Commissioner Boyle recommended that certain language in the order be modified. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order seeking comments due on or before March 20, 2007 and, reply comments due on or before March 30, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Landis was appointed Hearing Officer.

NUSF-37.109 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Business Productivity Solutions, Inc., Respondent(s): Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-50 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: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order authorizing payment disbursements for the calendar year 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-50 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: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order regarding the reporting of NUSF-EARN Forms. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-50 In the Matter of the Commission, on its own motion, seeking & C-3554/ to make adjustments to the universal service fund mechanism PI-112 established in NUSF-26. Commissioner Landis presiding as Hearing Officer: The Hearing Officer's Prehearing Conference order entered February 5, 2007 requesting comments or testimony due on or before March 30, 2007 was discussed under the Communications' agenda.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley discussed NUSF Late-Filed Carrier Remittances. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to levy late fees against Sagir, Inc.; NE Colorado Cellular, Inc.; IDT America, Corporation; Gold Line Telemanagement, Inc.; Ernest Communications; Entrix Telecom, Inc. and Convergia, Inc., and that complaints be opened against LCR Telecommunications, LLC and Opcom, Inc., d/b/a WCS Telecom. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 Jerry Vap, seconded by Commissioner Frank Landis, to enter Assessment Order GDS-006. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Laura Demman informed the Commission that 28 consumer complaints and inquiries were received in January, 2007. The complaints were categorized as follows: Aquila - 16; Kinder Morgan - 11; and NorthWestern - 1.

LEGISLATIVE REPORT

Nichole Underhill reported on developments with regard to legislation affecting the Commission.

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 Certificate held by A-1 Transportation, LLC, in Certificate B-1642: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter a Nunc Pro Tunc order. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-322 In the Matter of Laidlaw Transit, Inc., Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Jerry Vap, 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.

TRANSPORTATION DEPARTMENT (Cont.)

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 52 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

John Fecht discussed the following shortages:

GW-1154 Heartland Coop, Hastings: Oats
GW-1599 Alvo Grain and Feed, Inc., Alvo: Corn
GW-1743 Farmers/Ranchers Cooperative Association of Ainsworth:
Corn
GW-2161 Dennis Partners, d/b/a O'Neill Grain Co., O'Neill:
Soybeans

Grain Dealer Division

GD-2913 In the Matter of The Andersons Agriservices, Inc., Maumee, Ohio, seeking to cancel its Grain Dealer License: John Fecht discussed cancellation of this license.

GD-2916 In the Matter of The Andersons, Inc., Maumee, Ohio, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending December 31, 2007: Motion made by Commissioner Frank Landis, 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.

GENERAL ADMINISTRATION

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

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| Attorney General | \$5,442.21 |
| Robert Hotz | 2,750.00 |
| Steinlite Corporation | 2,028.95 |
| Voyager | 1,163.74 |
| Fred Massing | 803.40 |
| Kent Pribyl | 882.45 |
| Anne Boyle | 349.20 |
| Tim Schram | 461.72 |
| Gerald Vap | 224.31 |

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

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|-----------------------------------|-----------|
| Aksarben TDD Service | \$ 981.85 |
| Alternative Hearing | 288.27 |
| Associated Hearing Health Care | 615.70 |
| B Hear Inc | 2,777.58 |
| Beltone | 1,982.65 |
| Glassman's Hearing Aid Service | 104.99 |
| Grand Island Hearing Aid | 2,405.20 |
| Harris Communications | 297.45 |
| Hearing Aid Center of Columbus | 444.90 |
| Hearing Aid Specialists | 1,247.80 |
| K-D Communications | 982.85 |
| McCook Pharmacy & Medical Supply | 1,194.95 |
| Professional Hearing Aid Services | 319.90 |
| Sherard Hearing Aid Center | 1,043.00 |
| Teltex | 1,572.95 |
| Hearing Clinic | 2,850.00 |

Mark Luttich led a discussion on the office renovation including modular furniture and other renovation plans.

The meeting adjourned at 11:01 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on February 13, 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 12, 2007.

Chairman

Executive Director