

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. 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 April 10, 2007 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held April 17, 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, April 17, 2007:

- B-1690 Commission Hearing Room, Lincoln. Oral Argument.  
1:30 In the Matter of SDG Transportation, Inc., d/b/a Classic Limousine Service, Omaha, seeking to acquire, through transfer, the authority granted to A & R Klassic Kars Limousine Service, LLC, in Certificate B-1599. Commissioner Landis presiding as Hearing Officer.
- 911-023.28 Commission Hearing Room, Lincoln.  
2:00 In the Matter of Clay County, Edgar, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Johnson presiding as Hearing Officer.
- 911-023.4 Commission Hearing Room, Lincoln.  
2:30 In the Matter of Custer County, Broken Bow, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Vap presiding as Hearing Officer.

#### Thursday, April 19, 2007:

- M-14190 Commission Library, Lincoln, and Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam Street, Omaha. In the Matter of Senior Moving Services, LLC, d/b/a Senior Moving Services, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in the state of Nebraska over irregular routes. Commissioner Boyle presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3778 In the Matter of Vanco Direct USA, LLC, Chicago, Illinois, seeking approval of a guarantee of indebtedness: Motion made by Commissioner Jerry Vap, 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-3779 In the Matter of Southern Kansas Telephone Company, Inc., Clearwater, Kansas, seeking approval to discontinue the provision of Interexchange service, to withdraw the tariff and relinquish the Certificate of Public Convenience and Necessity in the State of Nebraska: 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-3780 In the Matter of SBC Long Distance, LLC, d/b/a SBC Long Distance, d/b/a AT&T Long Distance, Dublin, California, seeking authority to cancel its Certificate of Public Convenience and Necessity for local exchange service in the State of Nebraska: Motion made by Commissioner 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 Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving applications C-3760 thru C-3768. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3760 In the Matter of Blair Telephone Company, Blair, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3196.

C-3761 In the Matter of Arlington Telephone Company, Blair, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3197.

C-3762 In the Matter of Cambridge Telephone Company, Cambridge, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3271.

C-3763 In the Matter of Clarks Telecommunications Company, Clarks, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3165.

COMMUNICATIONS DEPARTMENT (Cont.)

- C-3764 In the Matter of Consolidated Telco Inc., Lincoln, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3195.
- C-3765 In the Matter of Consolidated Telecom, Inc., Lincoln, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3194.
- C-3766 In the Matter of Consolidated Telephone Company, Lincoln, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3193.
- C-3767 In the Matter of Eastern Nebraska Telephone Company, Blair, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3198.
- C-3768 In the Matter of Great Plains Communications, Inc., Blair, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3182.

Gene Hand discussed the proposed staff plan intended to implement the Telecommunications Relay Service provisions mandated by LB-661. The plan will result in issuing all equipment voucher requests that have been held since December 17, 2006, as well as issuing all new requests for the remainder of the fiscal year. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the staff's plan implementing LB661 provisions. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand discussed the proposed staff policy for fund transfers from the Competitive Marketplace Fund to the Nebraska Internet Enhancement Fund pursuant to Nebraska Statute 86-127. The proposed policy is to review the balance in the fund each month and any funds exceeding \$100,000 will be transferred to the Nebraska Internet Enhancement Fund. The staff will report to the Commission on the amount of any transfers. Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the staff's policy to transfer funds per statute to the Nebraska Internet Enhancement Fund. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand updated the Commission on recent wireless complaints dealing with city sales tax and the business and occupation tax being applied to customers who reside outside the city limits.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-023.08 In the Matter of Cuming County, Public Safety Answering Point, West Point, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order approving the equipment funding request in part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.50 In the Matter of Harlan-Phelps Counties, Holdrege, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting a waiver and scheduling a hearing for May 9, 2007 at 10:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-1/  
PO #18 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 Frank Landis, seconded by Commissioner Tim Schram, to enter an order approving the assessment of the NUSF surcharge on interconnected VOIP services beginning July 1, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-4/  
PO #12 In the Matter of the Commission, on its own motion, seeking to determine the level of the fund necessary to carry out the Nebraska Telecommunications Universal Service Fund Act: Following discussion, motion was made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for June 5, 2007 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Jeff Pursley discussed a request from the Regional West Medical Center, Scottsbluff, to use their T-1 connection as a radio-to-radio conduit.

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 Anne Boyle, to enter orders revoking Assessment Order Nos. GDS-006 and to partially revoke Assessment Order HS-0010. 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. Frank Landis presiding as Hearing Officer: Laura Demman discussed town hall meetings to be scheduled for a date later to be determined.

NG-0045/ In the Matter of the Commission, on its own motion, seeking PI-127 to investigate policies of jurisdictional utilities charging monthly fees for disconnected months of natural gas service when reconnected within a twelve-month period: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Landis was appointed as Hearing Officer.

NG-0046/ In the Matter of the Commission, on its own motion, seeking PI-128 to investigate certain customer service issues and plans relating to SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc., Lakewood, Colorado: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an Order Opening Docket and Notice of Assessment Order. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Vap was appointed as Hearing Officer.

RULES AND REGULATIONS

Rule and Regulation #168 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 13, Modular Housing Unit Construction Rules and Regulations, to amend Sections 002.05A, 002.05B, and 005.01 related to the placement of state seals and seal fees: Mark Breiner informed the Commission that the rules were approved by the Attorney General's Office on March 6th and forwarded to the Governor for signature on March 12, 2007.

RULES AND REGULATIONS (Cont.)

Rule and In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 7, Transmission Lines Rules and  
#169 Regulations, to adopt the 2007 edition of the National  
Electrical Safety Code as the official rules of the Commis-  
sion for the construction, operation, and maintenance of overhead and  
underground electric transmission lines: Motion made by Commissioner  
Frank Landis, seconded by Commissioner Tim Schram, to enter an order  
scheduling a hearing for June 5, 2007 at 3:00 p.m. in the Commission  
Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle,  
Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.  
Commissioner Schram was appointed as Hearing Officer.

TRANSPORTATION DEPARTMENT

B-1689 In the Matter of Karl Riggs, d/b/a Kountry Limousine Com-  
pany, Bennington, seeking authority as a common carrier in  
Nebraska intrastate commerce in the transportation of household goods  
over irregular routes between points in Douglas County and Sarpy  
County and between points in said counties. Commissioner Johnson  
presiding as Hearing Officer: Mark Breiner reported and Commissioners  
discussed.

M-14191 In the Matter of 911 Moving, LLC, seeking authority as a  
common carrier in Nebraska intrastate commerce in the  
transportation of household goods over irregular routes between points  
in Douglas County and Sarpy County and between points in said coun-  
ties. Commissioner Boyle presiding as Hearing Officer: Commissioner  
Boyle suggested a change to be incorporated in Page 6. Motion made by  
Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to  
enter an order granting the application and incorporating the change  
to Page 6. Motion passed with Commissioners Anne Boyle, Rod Johnson,  
Frank Landis, Tim Schram 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 72 cents per mile.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

MODF-1 In the Matter of the Commission, on its own motion, seeking  
to determine the seal fee amount for the Modular Housing  
Program: Motion made by Commissioner Anne Boyle, seconded by Commis-  
sioner Frank Landis, to schedule a hearing for May 23, 2007 at 1:30  
p.m. in the Commission Hearing Room, Lincoln. Motion passed with  
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and  
Jerry Vap voting AYE. Commissioner Johnson was appointed as Hearing  
Officer.

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-2903 In the Matter of Hawkeye Commodities Company, Grimes, Iowa:  
John Fecht discussed its financial net worth requirements. The Commission directed Mr. Fecht to arrange a meeting at the Commission to discuss the Commission's concerns about the financial withdrawal of the dealer. The dealer is to bring its auditor to the meeting. Financial statements are to be provided to the Commission within two weeks.

GENERAL ADMINISTRATION

Andy Pollock reported on the proposed renewal contract with the Attorney General; and Matt McNair, Chief Deputy Attorney General, responded to the Commissioners' questions. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to renew the contract with the Attorney General. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

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

Thompson West \$ 591.14

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation for Mark Breiner to travel to and attend the National Conference of State Transportation Specialists to be held in Indianapolis, Indiana, from June 9-13, 2007. 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 the Executive Director's recommendation to purchase an IBM AS/400 Network printer. 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 the Executive Director's recommendation to purchase four computers for staff. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to authorize Mark Luttich to travel to Council Bluffs, Iowa to participate in the Nebraska Manufactured Housing Association, Inc.'s annual meeting and convention on May 17, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Andy Pollock reported and Commissioners discussed the proposed timeline for renovation, including approvals by the Commission.

Commissioner Johnson exited the Commission Hearing Room.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve a cost of \$50.00 per hour for Cornhusker State Industries to transport property for surplus. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve the surplus of furniture, computers and office equipment as follows. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Dell Monitors: Tag #1453, 1512, 1514, 1529 and 1636

Non-Tagged Property

Plastic In/Out Baskets (14)  
Wire In/Out Basket  
Computer Screen Protector  
Manual Collator  
18 Slot Stamp Holder  
Metal Book Ends (9)  
Computer Wrist Rest  
Metal Paper Stand for Typing  
Metal Typing Stand (2)  
Metal Book Shelf  
Yellow Vinyl/Chrome Chairs (4)  
Yellow Vinyl Sofa  
Book Case  
Gray 4-Drawer File Cabinets (5)  
Post it Notes Bulletin Board  
Computer Table with Left Side Keyboard  
Floor Magazine Holder  
Chalk Board  
Wall Mount Coat Rack

The meeting adjourned at 12:10 p.m. with Commissioners Boyle, Landis, Schram and Vap present, and Commissioner Johnson excused. The next regularly scheduled meeting will be held on April 25, 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 April 24, 2007.

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Chairman

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Executive Director