

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 invited the public to address the Commission. Chairman Johnson also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No comments were made.

GENERAL ADMINISTRATION

Notice was duly published August 7, 2007 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 14, 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, August 14, 2007:

911-023.02 Commission Hearing Room, Lincoln.

1:30 In the Matter of Douglas County, Public Safety Answering Point, Omaha, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Boyle presiding as Hearing Officer.

911-023.20 Commission Hearing Room, Lincoln.

1:30 In the Matter of Furnas County, Public Safety Answering Point, Beaver City, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Vap presiding as Hearing Officer.

The Commissioners thanked Andy Pollock for his seven years of service to the Commission.

COMMUNICATIONS DEPARTMENT

Gene Hand informed the Commission that Qwest Communications International, Inc. has appointed Edward Mueller as Chief Executive Officer and Board Chairman.

C-3808 In the Matter of Qwest Corporation, Denver, Colorado, seeking a new resale agreement with Purecom, LLC, Brighton, Colorado: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order withdrawing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3823 In the Matter of Consumer Telcom, Inc., Henderson, Nevada, seeking authority to operate as an interexchange carrier of telecommunication services within 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-3826 In the Matter of Airespring, Inc., Van Nuys, California, seeking authority to provide resold local exchange telecommunications services within 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.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter orders approving applications C-3831 through C-3834. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3831 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Triennial Review Order and a Triennial Review Remand Order (TRO/TRRO) Amendment to the Interconnection Agreement with CitiStream Communications, Inc., Omaha, previously approved in Docket C-2675.

C-3832 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order (OFO) Amendment to the Interconnection Agreement with CitiStream Communications, Inc., Omaha, previously approved in Docket C-2675.

C-3833 In the Matter of Qwest Corporation, Denver, Colorado, seeking Collocation Available Inventory Amendment to the Wireline Interconnection Agreement with Qwest Communications Corporation, Denver, Colorado, previously approved in Docket C-3286.

C-3834 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Negotiated Wireline Interconnection Agreement with TeleQuality Communications, Inc., San Antonio, Texas.

E-2152 In the Matter of 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 granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter a joint-docket order approving in part and denying in part, Dodge County and Fremont Police Department funding requests in Dockets 911-023.06 and 911-023.68. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.06 In the Matter of Dodge County, Public Safety Answering Point, Fremont, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation:

911-023.68 In the Matter of Fremont Police Department, Public Safety Answering Point, Fremont, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.09 In the Matter of Chase County, Public Safety Answering Point, Imperial, 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 Phase II LEC costs. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

911-023.62 In the Matter of Thurston County, Public Safety Answering Point, Pender, 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 Phase II LEC costs. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

911-023.68 In the Matter of Fremont Police Department, Public Safety Answering Point, Fremont, 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 Phase II LEC costs. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

911-023.16 In the Matter of Dakota County, Public Safety Answering Point, South Sioux City, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle to enter an order approving mapping software. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley discussed the E911 Advisory Board's membership.

NUSF-37 In the Matter of Jeffrey L. Pursley, Director, Nebraska .130 Telecommunications Infrastructure and Public Safety Department, Complainant v. First Communications, LLC, Respondent(s): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Jeff Pursley discussed the NTIPS Department's fining policy for billing issues, related to the Universal Service Fund. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Jeff Pursley discussed the NUSF Late-Filed Carrier Remittances. Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to levy a late-fee against Silv Communications, Inc. for the late-filed worksheet of 2nd Quarter, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

P-0012.4 In the Matter of Aquila, Inc., d/b/a Aquila Networks, Omaha, providing notice required by Neb. Rev. Stat. Section 57-1306, as amended, that it intends to extend or enlarge its service area or extend a gas main: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

P-0013.10 In the Matter of Metropolitan Utilities District of Omaha, Omaha, providing notice required by Neb. Rev. Stat. Section 57-1306, as amended, that it intends to extend or enlarge its service area or extend a gas main: 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.

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: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order on the Motion for Reconsideration, Suspension of the Rate Order and Motion for Relief of Protective Order. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

NG-0051/ In the Matter of the Commission, on its own motion, seeking
PI-130 to investigate jurisdictional issues pertaining to construction and operation of natural gas pipeline within the state of Nebraska by Nebraska Resources Company, LLC, or any other entity: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order declaring this matter a contested case. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0048 In the Matter of NorthWestern Corporation, d/b/a NorthWestern Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska: Laura Demman informed the Commission of the Stipulation filed on August 9, 2007 on behalf of the Village of Alda, City of Kearney, City of North Platte and City of Grand Island extending time to negotiate an agreed rate increase by 45 days to October 14, 2007.

TRANSPORTATION DEPARTMENT

Railroad Division

Scott Elston reported on railroad related accidents, inspections, and conferences attended.

Motor Carrier Division

B-1699 In the Matter of Count Cook, d/b/a Confidential Transportation, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in open class service by van between points in Douglas County and Sarpy County, and between points in said counties: Upon agreement of all Commissioners, a video hearing was scheduled for October 10, 2007, at 10:00 a.m. in the Commission Hearing Room, Lincoln, and the Nebraska State Office Building, 1313 Farnam Street, Room 207, Omaha. Commissioner Boyle was appointed Hearing Officer.

M-14198 In the Matter of Smoldt Moving and Storage, Inc., Des Moines, Iowa, seeking to acquire, through transfer, the authority granted to Portable Storage of Nebraska, LLC, d/b/a PODS in Certificate M-14186: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application and revoking Certificate M-14186. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

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 decreased to 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 amounts for the Modular Housing Program: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order scheduling a workshop for August 30, 2007 at 9:30 a.m. in the Atrium Conference Center, 2nd Floor, 1200 N Street, Lincoln. 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 Executive Director's recommendation for approval of the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Attorney General	\$	2,785.38
DAS-Central Finance-Accounting Assessment		14,682.00
DAS-Central Finance-NIS Debt Assessment		3,427.00
DAS-Central Finance-Purchase Revolving Assessment		4,497.00

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alltel Corp	\$	404.97
Alternative Hearing		380.00
Associated Ear Norse & Throat		352.90
B Hear Inc.		718.33
Beltone		4,379.45
Grand Island Hearing Aid		1,598.95
Hearing Aid Center of Columbus		284.95
Carl A. Johnson		603.45
Professional Hearing Aid Services		738.80
Sherard Hearing Aid Center		1,024.60
Teltex		1,040.50
Weitbrecht Communications		1,271.35
Western ENT Associates		139.95
Whites Hearing Aid Specialists		856.80

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation for Shana Knutson to travel to and attend the Professional Development for Hearing Officials and Administrative Law Judges Training Session to be held in Santa Fe, New Mexico from November 4-7, 2007. 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 approve the Executive Director's recommendation for Fred Massing to travel to and conduct a modular housing unit factory inspection at Wardcraft Homes in Clay Center, Kansas on August 15, 2007 with all expenses, including time, to be reimbursed by Wardcraft Homes. 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 on policy on the use of outside court reporters. 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 Anne Boyle, to establish an allocated budget for Commissioner travel, conference and commuting fund. 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 Anne Boyle, to approve legislative proposals for the 2008 session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

John Burvainis and Andy Pollock discussed the budget for the merit salary plan with the Commissioners.

Jeff Pursley and Andy Pollock discussed possible changes to the organization and personnel in the Nebraska Telecommunications Infrastructure & Public Safety department.

The meeting adjourned at 11:35 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on August 21, 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 August 20, 2007.

Chairman

Executive Director