

Vice Chairman Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Boyle, Landis, Schram and Vap present and Commissioner Johnson excused. Vice Chairman Landis invited the public to address the Commission. Vice Chairman Landis also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No announcements were made.

#### GENERAL ADMINISTRATION

Notice was duly published November 27, 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 December 4, 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, December 4, 2007:

NUSF-64      Commission Hearing Room, Lincoln. Prehearing Conference.  
1:30          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.

#### Monday, December 10, 2007:

NG-0048      Commission Hearing Room, Lincoln.  
1:30          In the Matter of NorthWestern Corporation, d/b/a North-Western Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska. Commissioner Vap presiding as Hearing Officer.

#### COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter orders granting Applications AD-418r and AD-419r. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

AD-418r      In the Matter of Credit Control Services, Inc., Newton, Massachusetts, seeking authority to register the connection of an automatic dialing-announcing device in Portsmouth, New Hampshire.

COMMUNICATIONS DEPARTMENT (Cont.)

AD-419r In the Matter of Customer Contact Solutions, Newton, Massachusetts, seeking authority to register the connection of an automatic dialing-announcing device in Newton, Massachusetts.

C-3554/  
NUSF-50/  
PI-112 In the Matter of the Commission, on its own motion, seeking to investigate whether the zones established in Docket C-2516 are appropriate in light of NUSF-26 findings and conclusions. Commissioner Vap presiding as Hearing Officer: This matter was addressed as part of the Telecommunications Infrastructure and Public Safety Department agenda.

C-3839 In the Matter of Nebraska Technology & Telecommunications, Inc., Lincoln, seeking mediation of the interconnection rates, terms and conditions with Windstream Nebraska, Inc., Little Rock, Arkansas: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-3864 In the Matter of Long Lines Siouxland, LLC, Sergeant Bluff, Iowa, seeking approval to participate in certain debt financing arrangements: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. 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 Jerry Vap, seconded by Commissioner Anne Boyle, to enter orders granting Applications C-3871 and C-3872. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-3871 In the Matter of Talk America, Inc., New Hope, Pennsylvania, seeking authority to voluntarily relinquish its authority to provide facilities-based and resold local exchange services in the State of Nebraska and to amend its certificate.

C-3872 In the Matter of Geneva Broadband, LLC (GBB), Geneva, seeking a Certificate of Convenience and Necessity to provide local exchange service in areas of Nebraska currently served by Windstream Communications, Inc.

Gene Hand discussed the status of the draft letters to the Nebraska Legislature and Nebraska Congressional delegation along with the associated press release regarding the Federal Communications Commission's High-Speed Broadband Services for Internet Access Report.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter orders approving Applications C-3874 and C-3875. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-3874 In the Matter of Qwest Corporation, Denver, Colorado, seeking Bill and Keep Amendment to the Interconnection Agreement with New Cingular Wireless PCS, LLC, f/k/a AT&T Wireless PCS Inc., Redmond, Washington, previously approved in Docket C-2100.

C-3875 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Negotiated Wireline Interconnection Agreement with Allo Communications, Inc., Lincoln.

Gene Hand briefed the Commission on the status of the Request for Proposal (RFP Number 2297Z1) seeking networking services necessary to support distance learning in Nebraska.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-37. In the Matter of Jeffrey L. Pursley, Director, Nebraska  
138 Telecommunications Infrastructure and Public Safety  
Department, Complainant v. Helio, Inc., Respondent(s):

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

NUSF-50/ In the Matter of the Commission, on its own motion, seeking  
C-3554 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 Jerry Vap, to enter an order denying Qwest's Motion for Rehearing. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

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 Jerry Vap, seconded by Commissioner Tim Schram, to enter an order scheduling a hearing regarding the Cambridge waiver application for December 18, 2007 at 11:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1/ PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund; Nebraska Long Distance, LLC:  
Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to accept the deviation in the Agreed Upon Procedures statement from this company. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

NUSF-72 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Verizon Voicewing VOIP, Respondent(s):  
Jeff Pursley discussed this complaint, previously approved by the Commission on November 27, 2007, stating that it should be rescinded. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to rescind the order entered November 27, 2007. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

NATURAL GAS DEPARTMENT

FC-1326 In the Matter of the Formal Complaint of Ken's Auto Repair and Service, Ravenna, against SourceGas Distribution, LLC f/k/a Kinder Morgan Retail, Lakewood, Colorado. Commissioner Vap presiding as Hearing Officer: Laura Demman discussed the Hearing Officer order entered November 27, 2007, canceling the hearing previously scheduled for November 28, 2007, due to a stipulated agreement by the parties.

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. Commissioner Vap presiding as Hearing Officer: Laura Demman discussed the notices received November 21, 2007: Notice of Intent to Implement Interim Rates and Notice of Settlement, Settlement Agreement, and Hearing Officer's order entered on November 30, 2007, scheduling a hearing for December 10, 2007, at 1:00 p.m. in the Commission Hearing Room, Lincoln.

Laura Demman reported a total number of 31 consumer complaints and inquiries received at the Commission during November 2007. For each company: Aquila - 9; SourceGas - 18; NorthWestern - 2; and Other Entities - 2.

LEGISLATIVE REPORT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve additional legislative recommendations for the 2008 legislative session. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TRANSPORTATION DEPARTMENT

B-1700 In the Matter of Zalt, Inc., d/b/a Central Limousine  
Supp. 1 Services, Grand Island, seeking to extend the authority  
held by Zalt, Inc., d/b/a Central Limousine Services, in  
Certificate B-1700. Commissioner Johnson presiding as Hearing  
Officer: Upon agreement of all Commissioners, a video hearing was  
scheduled for December 18, 2007, at 1:00 p.m. in the Commission  
Hearing Room, Lincoln; Nebraska State Office Building, 1313 Farnam  
Street, Room 207, Omaha; College Park Conference Room C, 3180 West  
Highway 34, Grand Island; McKinley Education Center, Room 1, 301 West  
F Street, North Platte; and the Panhandle Learning Center, High Plains  
Room, 4502 Avenue I, Scottsbluff.

B-1712 In the Matter of DW & JW, Inc., d/b/a Luxury Limousine and  
Trolley Service, Syracuse, seeking to acquire, through  
transfer, the authority granted to Nebraska City Tourism and Commerce  
in Certificate B-1562: Motion made by Commissioner Tim Schram,  
seconded by Commissioner Jerry Vap, to enter an order granting  
temporary authority. Motion passed with Commissioners Anne Boyle,  
Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner  
Rod Johnson excused not voting.

M-14199 In the Matter of Flat Rate Movers, LLC, Elkhorn, seeking  
authority as a common carrier in Nebraska intrastate  
commerce in the transportation of household goods within the state of  
Nebraska by truck over irregular routes: Motion made by Commissioner  
Tim Schram, seconded by Commissioner Jerry Vap, to enter an order  
granting the application. Motion passed with Commissioners Anne  
Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commis-  
sioner Rod Johnson excused not voting.

Rate Division

TR-159 In the Matter of Golden Plains Services, LLC, d/b/a High  
Plains Cab Service & Golden Plains Services, McCook,  
seeking authority to adjust its rates and charges: Motion made by  
Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter  
an order granting the application. Motion passed with Commissioners  
Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and  
Commissioner Rod Johnson excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

MR-230 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The fuel surcharge was decreased to 90 cents per mile.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Liberty Consulting Group	\$ 695.63
Tim Schram	263.84

The following bills were paid between November 27 and December 3, 2007 and should be ratified:

DAS - Central Finance - October Printing	\$ 751.02
Thomas West	815.00
Voyager	1,443.76

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to schedule the following Commission meeting dates for the 1st Quarter of 2008. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

January 8, 15, 23 (Wednesday), and 29  
February 5, 12, and 26  
March 4, 11, 18, and 25

There will be no meeting the week of December 31, 2007 and February 18, 2008

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to authorize Commissioner Anne Boyle to travel to and attend the Practicing Law Institute (PLI) on Telecommunications Conference to be held in Washington, DC on December 5, 2007, with all expenses to be paid by PLI. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Mark Breiner to travel to and attend the National Conference of State Transportation Specialists Mid-Winter Meeting to be held in Clearwater, Florida from January 12 through 17, 2008. 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 Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve Commission filing fees for 2008. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

The Commission discussed proposed Nebraska Public Service Commission Policy Manual 2007 updates.

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The meeting adjourned at 10:35 a.m. with Commissioners Boyle, Landis, Schram and Vap present and Commissioner Johnson excused. The next regularly scheduled meeting will be held on December 11, 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 December 10, 2007.

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Vice Chairman

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Executive Director