

Chair Anne Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. Chair Boyle invited the public to address the Commission. Chair Boyle 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 January 22, 2008 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 29, 2008 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Tuesday, January 29, 2008:

E-2160 Commission Hearing Room, Lincoln.
11:00 In the Matter of South Central Public Power District, Nelson, seeking authority to construct, operate and maintain an electric transmission line in Webster County. Commissioner Johnson presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3796 In the Matter of Cox Nebraska Telcom, LLC, Omaha, seeking arbitration and approval of an interconnection agreement pursuant to Section 252 of the Telecommunications Act of 1996, with Qwest Corporation, Denver, Colorado. Commissioner Anne Boyle presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order to approve the arbitrated agreement. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3829 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of its revised statement of generally available terms (SGAT) pursuant to section 252(f) of the 1996 telecommunications act, previously granted in Docket C-3313: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order declaring amendments effective. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3852 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of the Interconnection Agreement with NOS Communications, Inc., Las Vegas, Nevada: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand provided the Commissioners with a copy of a Nebraska Public Power District (NPPD) letter dated January 24, 2008, which provides notice that the current dark fiber lease agreement between Frontier Communications and NPPD will terminate effective June 30, 2008.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-023.13 In the Matter of Keith County, Ogallala, seeking funding approval for recurring and non-recurring costs of Enhanced wireless 911 implementation. Commissioner Vap presiding as Hearing Officer: Jeff Pursley discussed the Hearing Officer's order entered January 25, 2008 continuing the January 29, 2008 hearing to a date later to be determined.

Jeff Pursley discussed the Hearing Officer's orders in Dockets 911-024.05, 911-024.07 and 911.024.15 entered January 25, 2008, continuing the January 22, 2007 hearings to March 11, 2008 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Vap presiding as Hearing Officer.

911-024.05 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository; Action Communications, Inc. :

911-024.07 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository; Viaero Wireless. Commissioner Vap presiding as Hearing Officer:

911-024.15 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository; Great Plains GIS Partnership. Commissioner Vap presiding as Hearing Officer.

NUSF-1, In the Matter of the Commission, on its own motion, seeking PO #7 to establish guidelines for administration of the Nebraska Universal Service Fund: Motion made by Commissioner Landis, seconded by Commissioner Vap, to adopt the guideline that appropriate third-party examiners, for the purpose of yearly audits, cannot be a company or firm that currently or has previously filed as a third-party on the carrier's behalf. Motion passed with Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE.

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: The following action was taken:

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to grant the following extensions to complete and file the NUSF Remittance Worksheet audit that was due December 31, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Easton Telecom Service: March 15, 2008.
Sagir, Inc., d/b/a Indigo Wireless:
February 22, 2008.
Cricket Communications: March 31, 2008.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders dismissing the complaints in Dockets NUSF-37.135 and NUSF-37.142. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37 .135 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Easton Telecom Services, LLC, Respondent.

NUSF-37 .142 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Comtel Telcom Assets, LP, Respondent.

Jeff Pursley discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to levy a late fee against Telecorp Communications, New Cingular Wireless and Great Call, Inc. Additionally, that the complaint NUSF-37.145 be amended to include the late-filed December, 2007 worksheet for Global Tel*Link Corporation and, that a new complaint be opened against Airespring, Inc. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter Assessment Orders in Dockets FC-1327 and NG-0041. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

FC-1327 In the Matter of the Formal Complaint of the Nebraska Public Advocate, seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks
GDS-008 (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three.

P-0012.8 In the Matter of Aquila, Inc., d/b/a Aquila Networks, Omaha, providing notice required by *Neb. Rev. Stat. Section 66-1863*, as amended, that it intends to extend or enlarge its service area or extend a gas main: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

LEGISLATIVE REPORT

The Commission discussed pending legislation.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve positions and testimony regarding pending legislation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1680 In the Matter of Sudanese National Community of Nebraska, Inc., Omaha, seeking authority as a common carrier in open class service in the transportation of passengers and their baggage between points in Douglas and Sarpy counties by vans over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order denying the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1707 In the Matter of Lock P.C., d/b/a Orr Psychotherapy Resources, Lincoln, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of clients of Orr Psychotherapy Resources and their baggage between points within 30 miles of current Orr Psychotherapy Resources offices in Lancaster and Seward Counties in open class service by van over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: 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.

M-14119 In the Matter of Dudley Movers of Omaha, Inc., Ralston, Supp. 1 seeking to extend the authority held by Dudley Movers of Omaha, Inc., in Certificate M-14119: Motion made by Commissioner Tim Schram, 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.

Rate Division

BR-334 In the Matter of Lock P.C., d/b/a Orr Psychotherapy Resources, Lincoln, seeking authority to set rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 Goods Tariff 7F: The fuel surcharge was retained at 84 cents per trip.

GENERAL ADMINISTRATION

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

DAS Central Finance - Communications	\$	3,764.33
DAS Central Finance - Copy Services		2,194.73
Larry Fauss		990.00
NARUC		5,000.00

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter into closed session to discuss pending litigation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission went into closed session at 10:20 a.m.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 10:43 a.m.

The meeting adjourned at 10:45 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on February 5, 2008, 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 4, 2008.

Chair

Executive Director