

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 and 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 29, 2008 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 5, 2008 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in January 2008. She reported there were a total of 83 complaints: 57 - wireline and 26 - wireless. The complaints were categorized as follows: 55 billing, 15 service and 13 miscellaneous issues.

AD-421r In the Matter of Qwest Corporation, Denver, Colorado, seeking authority to register the connection of an automatic dialing-announcing device: 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-3423 In the Matter of 34 Nebraska Rural Local Exchange Carriers seeking to revise the Commission's July 20, 2004 Order Granting Suspension of the Federal Communications Commission's (FCC) Requirement to Implement Wireline-Wireless Number Portability Pursuant to 47 U.S.C. 251(f)(2). Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter a progression order. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3894 In the Matter of Computer Network Technology Corporation, Minneapolis, Minnesota, seeking approval to surrender operating authority to provide interexchange and local exchange authority of telecommunications services in the State of Nebraska and to cancel their tariffs: 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.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3896 In the Matter of the Shareholders of the Nebraska Central Telephone Company, Gibbon, seeking approval of a change of controlling interest in the Nebraska Central Telephone Company and Nebraska Central Telecom, Inc.: 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.

C-3897 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the statewide Telecommunications Relay System (TRS) to be effective July 1, 2008, in the state of Nebraska: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order opening the docket and scheduling a hearing for February 26, 2008 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 Schram was appointed hearing officer.

C-3903/
PI-135 In the Matter of the Commission, on its own motion, seeking comment on the request by United Way of the Midlands to be assigned the use of "211" in the City of York, York County, for access to First Call for Help (FCFH), a comprehensive information and referral service: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

WC-08-4 In the Matter of Hawaiian Telcom, Inc. seeking a waiver of Sections 54.309 and 54.313(d)(vi) of the Federal Communications Commission's (FCC) Rules: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to join a group of states in filing comments with the FCC in opposition to the Hawaiian Telecom petition. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter orders in Dockets C-3852 and C-3893. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3852 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of the Interconnection Agreement with NOS Communications, Inc., Las Vegas, Nevada.

C-3893 In the Matter of United Telephone Company of the West d/b/a Embargo, Overland Park, Kansas, seeking approval of a Master Resale Agreement with Ernest Communications, Inc., Norcross, Georgia.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2166 In the Matter of Twin Valleys Public Power District, Cambridge, seeking authority to construct, operate and maintain an electric transmission line in Furnas and Harlan Counties. Commissioner Vap presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's order was entered on January 28, 2008, scheduling a hearing for February 11, 2008, at 1:30 p.m. CST in the Commission Hearing Room, Lincoln. Subsequently, on February 1, 2008, Twin Valley requested that the hearing previously scheduled for February 11, 2008, be continued. Hearing Officer Vap issued an order on February 4, 2008 continuing the hearing to a date later to be determined.

Gene Hand informed the Commission that a request was received from Pinpoint Communications, Inc. on January 28, 2008, asking the Commission to overturn NeuStar's denial of Pinpoint's request to reclaim two thousands-blocks of numbers in the Omaha Rate Center that were inadvertently returned to the Pooling Administrator: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to table this matter. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The staff was directed to gather more information and consider alternatives to reclaiming the two blocks.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-023.03 In the Matter of Buffalo County, Kearney, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving funding request equipment and software. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter orders in Dockets 911.023.44, 911.023.52, 911.023.62 and 911.023.58 approving funding requests for LEC costs. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

911-023.44 In the Matter of Polk County, Public Safety Answering Point, Osceola, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Phase II

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-023.52 In the Matter of Nuckolls County, Public Safety Answering Point, Nelson, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Phase I

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: Phase I

911-023.58 In the Matter of Thayer County, Public Safety Answering Point, Hebron, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order approving the funding request, in part. 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 Tim Schram, to enter orders in Dockets 911.024.21 & 911.024.22 granting repository access. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-024.21 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: Nebraska State Patrol

911-024.22 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: Fillmore County Sheriff

911-018/
PI-117 In the Matter of the Commission, on its own motion, seeking to establish audit requirements related to the Wireless Enhanced 911 Fund: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to grant Sprint-Nextel West Corporation/NPCR, Inc. an extension until March 28, 2008 to complete and file the E911 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.

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 Jerry Vap, 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1, Dalton Telephone & Elsie Communications; February 29,
PO #7 2008
(Cont.) KDDI America, Inc.; February 25, 2008
USA Mobility Wireless, Inc.; February 15, 2008
Intellicall Operator Services; April 30, 2008

NUSF-37. In the Matter of Jeffrey L. Pursley, Director, Nebraska
145 Telecommunications Infrastructure and Public Safety
Department, Complainant v. Global Tel*Link Corporation,
Respondent: 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.

NUSF-71 In the Matter of the Commission, on its own motion, seeking
to investigate remittance variances and compliance with
universal service fund requirements and to make necessary adjustments
to the high-cost program. Commissioner Landis presiding as Hearing
Officer: Motion made by Commissioner Frank Landis, seconded by Com-
missioner 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.

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 Com-
missioner Jerry Vap, to enter an order amending authorization for
funding. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-72.02 In the Matter of Jeffrey L. Pursley, Director, Nebraska
Telecommunications Infrastructure and Public Safety
Department, Complainant v. Voip.com, Respondent: Motion made by
Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to
enter an order dismissing the complaint. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

NUSF-73 In the Matter of Bell Atlantic Communications, Inc., d/b/a
Verizon Long Distance, seeking a Waiver of Telecommuni-
cations Rules and Regulations found at Title 291, Chapter 5, 002.01
and 002.02. Commissioner Schram presiding as Hearing Officer: Jeff
Pursley discussed the Hearing Officer's order scheduling a hearing for
February 27, 2008 at 1:30 p.m. in the Commission Hearing Room,
Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

WC-08-4 In the Matter of Hawaiian Telcom, Inc. seeking a waiver of Sections 54.309 and 54.313(d)(vi) of the Federal Communications Commission's (FCC) Rules: Gene Hand discussed this matter on the Communications Department agenda.

NATURAL GAS DEPARTMENT

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. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order overruling objection and upholding assessment. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0053 In the Matter of Nebraska Resources Company, LLC, Tulsa, Oklahoma, seeking a Certificate of Public Convenience and Necessity authorizing it to operate as a jurisdictional utility in Nebraska and approval of tariff: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter a Protective Order. 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-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 informed the Commission that a payment was made under the Municipal Rate Negotiations Revolving Loan Fund and that next week an order will be prepared requiring the loan amount to be repaid by the utility as required by state law.

P-0013.12 In the Matter of Metropolitan Utilities District of Omaha, Omaha, providing notice required by *Neb. Rev. Stat.* Section 66-1863, 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.

Laura Demman reported a total number of 38 consumer complaints and inquiries received during January, 2008. For each company: Aquila - 12; SourceGas - 20; NorthWestern - 3; and Other Entities - 3.

RULES AND REGULATIONS

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: Shana Knutson informed the
Commission that the final rules were signed by the Governor and
registered with the Secretary of State on January 31, 2008. Rules
will become effective on February 5, 2008.

Rule and In the Matter of the Commission, on its own motion, seeking
Regulation to amend Title 291, Chapter 10, Nebraska Universal Service
#171 Fund Rules and Regulations, to update the chapter in its
entirety and to reorganize the chapter by the nature of the
program supported by the NUSF. Shana Knutson informed the Commission
that proposed rules were forwarded to the Governor's Policy Research
Office on February 4, 2008 for authorization to proceed.

LEGISLATIVE REPORT

The Commission discussed pending legislation.

Motion made by Commissioner Frank Landis, seconded by Com-
missioner 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-1712 In the Matter of DW & JW, Inc., d/b/a Luxury Limousine and
Trolley Service, Syracuse, seeking authority to acquire,
through transfer, the Certificate held by Nebraska City Tourism and
Commerce in Certificate B-1562: Motion made by Commissioner Frank
Landis, seconded by Commissioner Jerry Vap, to enter an order granting
the application and revoking Certificate B-1562. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE.

Rate Division

TR-161 In the Matter of Fremont Cab Service, LLC, Fremont, seeking
authority to adjust its rates and charges on an emergency
basis: Motion made by Commissioner Tim Schram, seconded by Commis-
sioner Jerry Vap, to enter an order granting the application in part
and denying in part. 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 Goods Tariff 7F: The fuel surcharge was increased to 86 cents per mile.

GENERAL ADMINISTRATION

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

Cornhusker State Industries	\$	1,150.00
Fred Massing		843.16
Kent Pribyl		620.82
Anne Boyle		606.00
Rod Johnson		610.04
Tim Schram		480.76

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Commission minutes for January 2008. 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 transfer a General Administration employee to the Nebraska Telephone Assistance Program (NTAP) Specialist position in the Nebraska Telecommunications Infrastructure and Public Safety (NTIPS) Department effective February 6, 2008. 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 hire a temporary employee half days effective February 6, 2008 to replace the General Administration employee transferring to the NTIPS Department until a full time employee is hired. 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 open the position of Receptionist/Administrative Secretary for hire. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:47 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on February 12, 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 11, 2008.

Chair

Executive Director