

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 February 26, 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 March 4, 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, March 4, 2008:

NUSF-64 Commission Hearing Room, Lincoln.
11:00 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.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in February 2008. She reported there were a total of 92 complaints: 59 - wireline and 33 - wireless. The complaints were categorized as follows: 54 billing, 23 service and 15 miscellaneous issues.

AD-427r In the Matter of CitiFinancial, Inc., Baltimore, Maryland, seeking authority to register the connection of an auto-matic dialing-announcing device. Motion made by Commissioner Tim Schram, 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.

WC 07-243 In the Matter of the Federal Communications Commission,
07-244 Notice of Proposed Rulemaking, Telephone Number Require-
FCC-07-188 ments for IP-Enabled Services Providers; Local Number
Portability Porting Interval and Validation Requirements:
The Federal Communications Commission (FCC) adopted this Notice of Proposed Rulemaking seeking comment on whether the FCC should extend local number portability (LNP) requirements and numbering related rules, including compliance with N11 code assignments, to interconnected Voice over Internet Protocol (VoIP) providers, and whether the FCC should adopt rules specifying porting intervals or other details of the porting process.

COMMUNICATIONS DEPARTMENT (Cont.)

WC 07-243 Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve filing comments with the FCC due on March 24, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand requested approval of a letter sent to Jeff D. Henderson, Federal Fund Financials, Sr. Analyst, National Exchange Carriers Association (NECA) notifying him that the Nebraska Public Service Commission will continue to monitor the performance of Hamilton's relay service including overseeing that Hamilton complies with Telecommunications Relay Service requirements for Internet Protocol Captioned Telephone Service (branded as Web CapTel by Hamilton) in the State of Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the letter. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund (NIEF). Rod Johnson presiding as Hearing Officer: Gene Hand notified the Commission that Theron Jensen has resigned from the Nebraska Internet Enhancement Fund Advisory Board. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to publish notice seeking applications to fill the vacancy. 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 Frank Landis, to enter orders approving applications C-3899 and C-3901. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3899 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Single Point of Presence (SPOP) amendment to an Interconnection Agreement with Iowa Wireless Services LLC d/b/a I Wireless, Urbandale, Iowa, previously granted in Docket C-3599.

C-3901 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of a Wireline Interconnection Agreement with FiberComm, L.C., Sioux City, Iowa.

E-2096 In the Matter of Southern Public Power District, Grand Island, seeking authority to construct, operate and maintain an electric transmission line in Hamilton County. Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting an extension. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter orders granting applications E-2171, E-2174 and E-2179. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2171 In the Matter of Nebraska Public Power District, Columbus
E-2174 seeking authority to construct, operate and maintain elec-
 tric transmission lines in Antelope County and Knox County.

E-2179 In the Matter of Loup River Public Power District, Columbus
 seeking authority to construct, operate and maintain an
 electric transmission line in Platte County.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Shana Knutson reported on the Nebraska U.S. District Court's decision on the preliminary injunction motion filed in the Vonage case (4:07CV3277).

NATURAL GAS DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter assessment orders in Dockets FC-1327, NG-0041 and NG-0048. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1327 In the Matter of the Formal Complaint of the Nebraska
HS-008 Public Advocate seeking a determination that Kinder Morgan,
 Inc. and/or its successor in interest, SourceGas Distri-
 bution, 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. Commis-
 sioner Vap presiding as Hearing Officer.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks
HS-0020 (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.

NG-0048 In the Matter of NorthWestern Corporation, d/b/a North-
HS-006 Western Energy, Sioux Falls, South Dakota, seeking approval
 of a natural gas general rate increase for Nebraska. Com-
 missioner Vap presiding as Hearing Officer.

Laura Demman reported a total number of 45 consumer complaints and inquiries received during February. For each company: Aquila - 14; SourceGas - 26; NorthWestern - 3; and Other Entities - 2.

NATURAL GAS DEPARTMENT (Cont.)

FC-1330 In the Matter of Cornerstone Energy, d/b/a Constellation NewEnergy-Gas Division CEI, LLC, Omaha, vs. Aquila, Inc., dba Aquila Networks, Omaha, regarding Aquila, Inc.'s Energy Option Tariff and Program: Laura Demman discussed the formal complaint filed February 29, 2008. If a Statement of Satisfaction is not filed, the answer date for Aquila Networks will be March 21, 2008.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

FC-1329 In the Matter of Dwaine and Deb Trease, d/b/a Special Moments Limousine, Clearwater, vs. Zalt, Inc., d/b/a Central Limousine Services, Grand Island: Upon agreement of all Commissioners, a video hearing was scheduled for March 26, 2008, at 2:00 p.m. in the Commission Hearing Room, Lincoln, and Grand Island Public Library, 211 North Washington Street, Grand Island. Commissioner Johnson was appointed as Hearing Officer.

MCC-3162 In the Matter of Mark Breiner, Director, Transportation Department vs. SDG Transportation, Inc., Omaha: Upon agreement of all Commissioners, a video hearing was scheduled for March 26, 2008, at 10:00 a.m. in the Commission Hearing Room, Lincoln, and Nebraska State Office Building, Room 207, 1313 Farnam Street, Omaha. Commissioner Landis was appointed as Hearing Officer.

MCC-3163 In the Matter of Mark Breiner, Director, Transportation Department vs. Eppley Transportation Services, Inc., Qualified Developments, Inc., Stella Counseling Services, PC, Touch of Class Limousine, Graebel/Omaha Movers, Inc., Mid-America Transfer, Inc., Miracle Movers, Inc., Nebraskaland Moving & Storage, Smitty's Van & Storage Co., and Transfer 88, Defendants. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an Order To Show Cause and schedule a hearing for April 8, 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.

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 Goods Tariff 7F: The fuel surcharge was increased to \$1.00 per mile.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, 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.

Don Gray	\$	576.64
Anne Boyle		606.00
Tim Schram		446.42
Tim Schram		645.52

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation for Mark Luttich and Kent Pribyl to travel to and attend the Recreational Vehicle Industry Association (RVIA) Standards Seminar/ Training for Manufacturers and Regulatory States to be held in Vancouver, Washington, from April 7-9, 2008. RVIA will pay for airfare, lodging, ground transportation, and partial meals in Vancouver. The PSC will be responsible for partial meals, mileage to and from Omaha and parking at Eppley Airfield at an approximate cost of \$310.00 for both travelers. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:31 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 March 11, 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 March 10, 2008.

Chair

Executive Director