

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

GENERAL ADMINISTRATION

Notice was duly published June 17, 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 June 24, 2008 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, June 24, 2008:

- 1:00 Commission Hearing Room, Lincoln. Commissioner Tim Schram presiding as Hearing Officer.
- RVF-2 In the Matter of the Commission, on its own motion, seeking to determine the seal and plan review fee amounts for the Recreational Vehicle Program.
- MODF-2 In the Matter of the Commission, on its own motion, seeking to determine the seal and plan review fee amounts for the Modular Housing Program.
- MANF-1 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Manufactured Housing Program.

Wednesday, June 25, 2008:

- GW-1599 Exposition Building, Cass County Fairgrounds, Manley.
GD-1599 In the Matter of Alvo Grain and Feed, Inc., Alvo and
1:00 Ashland. Commissioner Schram presiding as Hearing Officer.

Thursday, June 26, 2008:

- TR-164 Commission Hearing Room, Lincoln.
1:30 In the Matter of Servant Cab, LLC, Lincoln, seeking authority to adjust its rates and charges. Commissioner Landis presiding as Hearing Officer.

GENERAL ADMINISTRATION (Cont.)

Monday, June 30, 2008 through Thursday, July 3, 2008:

9:00 Monday, Wednesday and Thursday
10:00 Tuesday

NG-0053 Commission Hearing Room, Lincoln.
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. Commissioner Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

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

C-3936 In the Matter of Sprint Long Distance, Inc., Overland Park, Kansas, seeking approval of a name change to Embarq Communications, Inc: 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.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders approving Applications C-3932, C-3934 and C-3935. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-3932 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of a Midspan Meet POI Amendment to the Interconnection Agreement with HunTel CableVision, Inc. d/b/a HunTel Communications, Blair, previously approved in Docket C-2921.

C-3934 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of a Wireless Originated 8XX Jointly Provided Switched Access (JPSA) Amendment to the Interconnection Agreement with New Cingular Wireless PCS, LLC, Redmond, Washington, previously approved in Docket C-2100.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3935 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of a Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment to the Interconnection Agreement with Houlton Enterprises, Inc., d/b/a Guaranteed Phone Service, Council Bluffs, Iowa, previously approved in Docket C-2917.

E-2190 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Platte, Colfax, Butler, Seward and Lancaster Counties: Motion made by Commissioner Frank Landis, 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 Commissioner Rod Johnson excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-011/
PI-79 In the Matter of the Commission, on its own motion, seeking to establish Phase II enhanced wireless 911 service implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve an amended Request for Proposal (RFP) for GeoComm, Inc. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-22.03 In the Matter of Alltel Wireless, Little Rock, Arkansas, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order approving Alltel Wireless' costs. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, Commissioner Anne Boyle voting NAY, and Commissioner Rod Johnson excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving software support costs in Dockets 911-023.16, 911-023.25, 911-023.29, 911-023.33, 911-023.40 and 911-023.49. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-023.16 In the Matter of Dakota County/South Sioux City Public Safety Answering Point, South Sioux City, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.25 In the Matter of Lincoln County, North Platte, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-023.29 In the Matter of Saline County Public Safety Answering Point, Wilber and Crete Police Department, Crete, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.33 In the Matter of Gage County, Public Safety Answering Point, Beatrice, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.40 In the Matter of Boone County, Public Safety Answering Point, Albion, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.49 In the Matter of Sheridan County, Public Safety Answering Point, Rushville, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

Motion made by Commissioner Vap, seconded by Commissioner Landis, to enter an order approving funding, in part, for equipment. Motion passed with Commissioners Boyle, Landis, Schram and Vap voting AYE, and Commissioner Johnson excused not voting:

911-023.33 In the Matter of Gage County, Public Safety Answering Point, Beatrice, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.49 In the Matter of Sheridan County, Public Safety Answering Point, Rushville, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.61 In the Matter of Region 26, Public Safety Answering Point, Taylor, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation: Motion made by Commissioner Vap, seconded by Commissioner Landis, to enter an order approving Phase I and II costs. Motion passed with Commissioners Landis, Schram and Vap voting AYE, Commissioner Boyle voting NAY, and Commissioner Johnson excused not voting.

911-023.73 In the Matter of Dundy County, Public Safety Answering Point, Benkelman, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation: Commissioner Rod Johnson entered the Commission Hearing Room during the discussion. Motion made by Commissioner Vap, seconded by Commissioner Schram, to enter an order approving GIS data development and GIS software. Motion passed with Commissioners Boyle, Landis, Schram and Vap voting AYE, and Commissioner Johnson present not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-32.07 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of various companies to comply with Commission Rules and Orders and to impose administrative fines: Commissioner Johnson presiding as Hearing Officer. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order sustaining, in part, the Show Cause action. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-50 PO #3/ C-3554/ PI-112 In the Matter of the Commission, on its own motion, seeking to make adjustments to the Universal Service Fund mechanism established in NUSF-26: Commissioners Frank Landis and Jerry Vap presiding as Hearing Officers. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order regarding Qwest's Motion. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Jeff Pursley discussed the late-filed NUSF remittances. Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to levy late fees against First Communications LLC and Broadwing Communications. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

FC-1331 In the Matter of Kinder Morgan Interstate Gas Transmission, LLC, Lakewood, Colorado vs. Aquila, Inc., Omaha, and Nebraska Resources Company, Tulsa, Oklahoma, alleging violations of the State Natural Gas Regulation Act: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter a Notice of Assessment Order. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0014.1 In the Matter of the Petition seeking authority to transfer the Competitive Natural Gas Provider Certificate from Seminole High Plains, LLC, to Seminole Energy Services, LLC, both of Denver, Colorado: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting authority. 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. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting a Motion for Reconsideration in Part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter Assessment Orders in Applications FC-1327, NG-0041, and NG-0053. 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-0012 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. Commissioner Vap presiding as Hearing Officer.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks
HS-0027 (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-0053 In the Matter of the Amended Application of Nebraska
HS-005 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. Commissioner Landis presiding as Hearing Officer.

P-0012.12 In the Matter of Aquila, Inc., d/b/a Aquila Networks,
P-0012.13 Omaha, providing notice required by *Neb. Rev. Stat.* Section
P-0012.14 66-1863, as amended, that it intends to extend or enlarge its service area(s) or extend a gas main(s): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders closing the dockets. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1708 In the Matter of Alton Davis, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage by Special Party and Charter Bus in the state of Nebraska over irregular routes. RESTRICTION: The bus to be used in the service is to be no larger than a 36 passenger bus. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application as amended. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

BR-336 In the Matter of Midwest Special Services, Curtis, seeking authority to adjust its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. 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 decreased to \$1.38.

GRAIN WAREHOUSE DEPARTMENT

GW-1599/ In the Matter of Alvo Grain and Feed, Inc., Alvo and Ash-
GD-1599 land: John Fecht updated the Commission on the status of this docket.

Grain Dealer Division

GD-2704 In the Matter of Riada Trading Co., Inc., Wichita, Kansas, seeking to cancel its Grain Dealer License: The license was cancelled.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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.

AS Central Finance - Network Services	\$	3,430.48
AS Central Finance - Office Supplies		808.54
Larry Fauss		990.00
Harms Trucking		1,549.22
Frank Landis		21.22
Gerald Vap		712.08

Motion made by Commissioner Landis, seconded by Commissioner Vap, to approve the Executive Director's recommendation to convert to the Microsoft Exchange email system as requested by the Department of Administrative Services. Motion withdrawn by Commissioner Frank Landis. Motion made by Commissioner Landis, seconded by Commissioner Vap, to table the motion. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to sign an agreement with Parish, Blessing and Associates for the provision of consulting and systems management services effective July 1, 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 Tim Schram, to approve the Executive Director's recommendation to renew the agreement with the Nebraska Attorney General's office for the provision of legal services effective July 1, 2008. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to renew the agreement with Larry Fauss for the provision of public information services effective July 1, 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 designate Mike Hybl as the Acting Director for the Nebraska Telecommunications Infrastructure and Public Safety Department effective July 2, 2008. 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 approve the Executive Director's recommendation to hire a full-time Grain Warehouse Examiner. 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 into closed session to discuss litigation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission entered into closed session at 10:35 a.m.

Commissioner Frank Landis left the Commission Hearing Room.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting. The Commission returned to open session at 10:44 a.m.

The meeting adjourned at 10:45 a.m. with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Gerald Vap present and Commissioner Frank Landis excused. The next regularly scheduled meeting will be held on July 1, 2008, at 9:00 a.m. with an agenda to be available in the office of the Executive Director at 9:00 a.m. on June 30, 2008.

Chair

Executive Director