

Chairman Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Frank Landis and Tim Schram present, and Commissioners Rod Johnson and Gerald Vap excused. Chairman Landis 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.

Commissioner Rod Johnson entered the Commission Hearing Room.

GENERAL ADMINISTRATION

Notice was duly published June 2, 2009 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 9, 2009 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 16, 2009

FC-1334 Niobrara Conference Room. Planning Conference. In the Matter of the Formal Complaint of Claire D. Runions, Minden, Nebraska, Complainant, v. SourceGas LLC, Respondent, alleging billing issues. Commissioner Gerald Vap presiding as Hearing Officer.

Monday, June 22, 2009

FC-1333 Commission Hearing Room, Lincoln, with video conference at the Education Service Unit #16, Distance Learning Room, 1221 West 17th Street, North Platte. In the Matter of the Formal Complaint of Tim Edens, North Platte, vs. North-Western Energy, Sioux Falls, South Dakota, alleging inaccurate billing. Commissioner Jerry Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

FC-1337 In the Matter of the Formal Complaint of N State Packaging Equipment & Supply Co., Omaha, alleging improper billing by Windstream Nebraska, Inc., Little Rock, Arkansas: Gene Hand informed the Commission that the matter is in the process of being settled.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand informed the Commission that the Federal Communications Commission (FCC) Report on a Rural Broadband Strategy mandated by the 2008 Farm Bill was released.

Gene Hand informed the Commission of the recent Embarq and CenturyTel news release which announced CenturyLink as the corporate name selected for the company subsequent to completion of the Century and Embarq merger.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Sue Vanicek discussed the late-filed Wireless E-911 Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to open a complaint against Long Lines Wireless, LLC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Sue Vanicek discussed the late-filed NUSF Remittances: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to open complaints against I-Wireless, Inc.; Long Lines Wireless, LLC; Legacy Long Distance International; and USA Digital Communications. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

NATURAL GAS DEPARTMENT

FC-1334 In the Matter of the Formal Complaint of Claire D. Runions, Minden, Nebraska, Complainant, v. SourceGas LLC, Respondent, alleging billing issues. Commissioner Gerald Vap presiding as Hearing Officer: Laura Demman discussed a Hearing Officer's order entered June 9, 2009, scheduling a planning teleconference for June 16, 2009, at 11:30 a.m. CDT in Niobrara Conference Room, Lincoln.

TRANSPORTATION DEPARTMENT

B-1441 In the Matter of R & F Hobbies, Inc., dba Prince of the Road, Ravenna, seeking approval to transfer fifty-one (51%) of the stock of R & F Hobbies, Inc., dba Prince of the Road, to James F. Laudenklos: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the acquisition of control through stock purchase. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

B-1723 In the Matter of Brown's Crew Car of Wyoming, LLC, dba Armadillo Express, Lenexa, Kansas, seeking to acquire, through transfer, the authority granted to Brown's Crew Car of Wyoming, Inc., dba Armadillo Express, Lenexa, Kansas: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the motion to dismiss. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE and Commissioner Jerry Vap excused not voting.

B-1727 In the Matter of Confidential Transportation, Inc., Omaha, seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of individuals by van having a primary diagnosis of mental illness, between mental health clinics located in Douglas County, on the one hand, and, on the other hand, points located within Douglas County. HHS Designation: Yes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Commissioner Boyle presiding as Hearing Officer: Mark Breiner advised the Commission that a Hearing Officer's Order was entered June 9, 2009, continuing the hearing previously scheduled for June 10 and 11, 2009, to a date later to be determined.

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 and Tariff 22: The Tariff 7F fuel surcharge was increased to \$.56 per mile, and the Tariff 22 fuel surcharge to \$2.00 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich provided an update on the financial status of the department.

GENERAL ADMINISTRATION

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

Liberty Consulting Group \$ 1,401.29

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve the Commission meeting dates for the third quarter 2009. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting. The meeting dates are as follows:

July 7, 14 and 28

August 4, 11, 18 and 25

September 1, 9 (Wednesday following Labor Day), 15, 22 & 29

There will be no meeting on July 21st.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to renew the Personal Vehicle Mileage Reimbursement Agreements with Bob Bowman and Kent Pribyl. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to renew the Commission's Agreement with the Bureau of Business Research for the provision of economic analysis services. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to renew the Commission's agreement with Ted Burkey for the provision of services relating to the inspection of recreational vehicle factories in the states of California, Indiana, Kansas, Michigan, Ohio, Oregon, and Pennsylvania. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to enter into an agreement with Ted Burkey for the provision of services relating to the review and analysis of recreational vehicle plans. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Don Gray to travel to and attend the North American Numbering Council (NANC) meeting to be held in Washington, DC on July 16, 2009. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

The meeting adjourned at 10:27 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, and Tim Schram present and Commissioner Gerald Vap excused. The next regularly scheduled meeting will be held on June 23, 2009, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on June 22, 2009.

Chair man

Executive Director