

Chairman Frank Landis called the regularly scheduled meeting to order at 10:03 a.m. with Commissioners Anne Boyle, Frank Landis, Tim Schram and Gerald Vap present and with Commissioner Rod Johnson 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.

GENERAL ADMINISTRATION

Notice was duly published June 24, 2009 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held June 30, 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 30, 2009

B-1566 Commission Hearing Room, Lincoln. In the Matter of R & J
1:30 Limo Services, Inc., Gothenburg, seeking authority as a common carrier of passengers in Nebraska intrastate commerce to provide limousine service between points in and west of Keya Paha, Rock, Loup, Garfield, Valley, Sherman, Buffalo, Kearney, and Franklin counties, and between points in said areas on the one hand, and, on the other hand, points in Nebraska over irregular routes. Commissioner Jerry Vap presiding as Hearing Officer.

Thursday, July 2, 2009

B-1720 Commission Hearing Room, Lincoln, and video link at Nebraska
10:00 State Office Building, Room 207, 1313 Farnam Street, Omaha. In the Matter of Phoenix Counseling, Inc., dba Phoenix Transportation Services, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage by van in open class service between points in Douglas, Cass, Sarpy, and Washington counties and between points in said counties. HHS Designation: Yes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Commissioner Anne Boyle presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

FC-1332/ In the Matter of the Formal Complaint of AT&T Communica-
FC-1335 tions of the Midwest, Inc., Denver, Colorado, seeking a
determination that OrbitCom, Inc., Sioux Falls, South
Dakota, failed to negotiate intrastate access charges and that Orbit-
Com's tariffed intrastate switched access rates are unfair and un-
reasonable. Commissioner Tim Schram presiding as Hearing Officer:
Gene Hand informed the Commission that a Hearing Officer order was
entered on June 24, 2009, amending the procedural schedule. Motion
made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram,
to enter a protective order. Motion passed with Commissioners Anne
Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commis-
sioner Rod Johnson excused not voting.

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. Commissioner Frank
Landis presiding as Hearing Officer: Motion made by Commissioner Anne
Boyle, seconded by Commissioner Tim Schram, to enter an order dismiss-
ing the complaint. Motion passed with Commissioners Anne Boyle, Frank
Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod
Johnson excused not voting.

C-4152 In the Matter of the Commission, on its own motion, seeking
to adopt a relief plan for the 402 area code. Commissioner
Anne Boyle presiding as Hearing Officer: Motion made by Commissioner
Anne Boyle, seconded by Commissioner Tim Schram, to enter an order
selecting an all-services overlay plan as the relief plan for the 402
Area Code. Motion passed with Commissioners Anne Boyle, Frank Landis,
Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson ex-
cused not voting.

C-4165/ In the Matter of the Commission, on its own motion, seeking
PI-150 to investigate and determine whether it is appropriate for
telecommunications companies to assess intrastate transit
charges on Extended Area Service Traffic. Commissioner Jerry Vap pre-
siding as Hearing Officer: Gene Hand informed the Commission that a
Hearing Officer's order will be entered soon setting a procedural
schedule.

C-3943 In the Matter of the Commission, on its own motion, seeking
to participate in a six month review of Qwest's Performance
Assurance Plans: Gene Hand informed the Commission that the Qwest
Performance Assurance Plan (QPAP) Review being conducted by Liberty
Consulting on behalf of the Regional Oversight Committee is scheduled
to be filed June 30, 2009, as planned.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3996/ In the Matter of the Commission, on its own motion, seeking
PI-144 to investigate Qwest Corporation's Jurisdictional Report
Requirements regarding terminating Feature Group D (FGD)
Traffic: Gene Hand discussed the filed agreement between Verizon and
Qwest relative to the suspended tariff and the associated amended
Access Service Catalogue filed June 24, 2009, by Qwest.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter orders to show cause in Dockets 911-030.31 and 911-033.09 and schedule a hearing for August 4, 2009 at 2:00 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-030.31 In the Matter of Sue Vanicek, Director, Telecommunications
911-033.09 Infrastructure and Public Safety Department, Complainant v.
Cozac Wireless, LLC d/b/a Movida Communications, Kansas
City, Missouri, Respondent.

NUSF- In the Matter of Sue Vanicek, Director, Telecommunications
37.189 Infrastructure and Public Safety Department, Complainant v.
Cozac Wireless, LLC d/b/a Movida Communications, Kansas
City, Missouri, Respondent: Motion made by Commissioner Jerry Vap,
seconded by Commissioner Tim Schram, to enter an order to show cause
and schedule a hearing for August 4, 2009 at 2:00 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Commissioner Rod Johnson entered the Commission Hearing Room.

TRANSPORTATION DEPARTMENT

Rate Division

LR-302 In the Matter of American Medical Response, Omaha, seeking
authority to set its rates and charges: Motion made by
Commissioner Anne Boyle, seconded by Commissioner Tim Schram, 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.

TRANSPORTATION DEPARTMENT (Cont.)

TR-173 In the Matter of Fremont Cab Service, LLC, Fremont, seeking authority to adjust its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application as modified 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 and Tariff 22: The Tariff 7F fuel surcharge was decreased to \$.60 per mile and the Tariff 22 fuel surcharge was decreased to \$2.60 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Deputy 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	\$	3,393.24
Larry Fauss		990.00
JS Wurm & Associates		4,337.58
Rod Johnson		1,087.90

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Deputy Director's recommendation to authorize Tim Sandusky to travel to and attend the Federal Railroad Administration (FRA) Discipline Training Conference to be held in Indianapolis, Indiana, from August 3 through 7, 2009, with all expenses to be paid by the FRA. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:27 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 July 7, 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 July 6, 2009.

Chair man

Deputy Director