

Chairman Frank Landis 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. 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 July 28, 2009 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 4, 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, August 4, 2009

C-4166/
DC-76
1:30 Commission Hearing Room, Lincoln. In the Matter of the Commission, on its own motion, regarding the 2008 Annual Report Filings. Commissioner Tim Schram presiding as Hearing Officer.

C-4165/
PI-150
1:30 Gold's Galleria, Room 531, 1050 N Street, Technical Workshop, Lincoln. Call in number 472-6292. In the Matter of the Commission, on its own motion, seeking to investigate and determine whether it is appropriate for telecommunications companies to assess intrastate transit charges on extended area service traffic. Commissioner Jerry Vap presiding as Hearing Officer.

Wednesday, August 5, 2009

M-14205
10:00 Commission Hearing Room, Lincoln. In the Matter of Tymar, LLC, d/b/a Second to None Moving, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods by truck between points in Cass, Sarpy, Douglas and Washington counties and between points in said counties over irregular routes. Commissioner Anne Boyle presiding as Hearing Officer.

Thursday, August 6, 2009

Rule and
Regulation
#172
1:30 Commission Hearing Room, Lincoln. In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 5, Telecommunications Rules and Regulations, to add rules regarding customer billing practices. Commissioner Frank Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4185 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of an Interconnection Agreement with Ionex Communications North, Inc. d/b/a Birch Communications, Kansas City, Missouri: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2222 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Gosper, Furnas and Red Willow Counties: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand reported on the National Association of Regulatory Utility Commissioners (NARUC) Summer Committee Meetings held in Seattle, Washington the week of July 19, 2009.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Sue Vanicek discussed the Hearing Officer's Order entered July 30, 2009, continuing the hearings previously scheduled for August 4, 2009, to September 22, 2009 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Tim Schram presiding as Hearing Officer.

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

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

NUSF-37. In the Matter of Sue Vanicek, Director, Telecommunications
189 Infrastructure and Public Safety Department, Complainant v. Cozac Wireless, LLC d/b/a Movida Communications, Kansas City, Missouri, Respondent.

FELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1 In the Matter of the Commission, on its own motion, seeking
P.O. #7 to establish guidelines for administration of the Nebraska
 Universal Service Fund: Sue Vanicek discussed the deviation
of Agreed Upon Procedures language for the NUSF Remittance Worksheet
audit as received from Unite Private Networks, LLC and asked for Commis-
sion approval to accept. Motion made by Commissioner Tim Schram,
seconded by Commissioner Anne Boyle, to approve the deviation of the
Agreed Upon Procedures Language. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF Late-Filed Carrier Remittances: Atrium Wireless Part-
ners, LLC, TON Services, Inc. and TracFone Wireless, Inc.: Sue Vanicek
discussed the NUSF Late-Filed Carrier Remittances and recommended that
a late fee be levied against TON Services and TracFone Wireless, Inc.
and that a Complaint be opened against Atrium Wireless Partners, LLC.
Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim
Schram, to levy late fees against TON Services and TracFone Wireless,
Inc. and open a Complaint against Atrium Wireless Partners, LLC.
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek reported on the NARUC Summer Committee Meetings
held in Seattle, Washington the week of July 19, 2009.

NATURAL GAS DEPARTMENT

Laura Demman reported a total number of 49 consumer com-
plaints and inquiries received during July. For each company: Black
Hills - 9; SourceGas - 36; and Other Entities - 4.

Laura Demman reported on the NARUC Summer Meetings held in
Seattle, Washington the week of July 19, 2009.

TRANSPORTATION DEPARTMENT

M-14205 In the Matter of Tymar, LLC, dba Second to None Moving,
 LaVista, seeking authority as a common carrier in Nebraska
intrastate commerce in the transportation of household goods by truck
between points in Cass, Sarpy, Douglas and Washington counties and
between points in said counties over irregular routes. Commissioner
Anne Boyle presiding as Hearing Officer: Mark Breiner informed the
Commission that Hearing Officer Boyle authorized the hearing scheduled
for August 5, 2009 to be held in Lincoln only and to cancel the video
connection with Omaha.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

BR-354 In the Matter of R & F Hobbies, Inc., dba Prince of the Road, Ravenna, seeking authority to adjust its rates and charges: Motion made by Commissioner Jerry Vap, 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.

LR-303 In the Matter of SMC Shared Mobility Coach, Omaha, 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 on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TR-172 In the Matter of Servant Cab Company, dba Yellow Cab Company and Capital Cab Company, Lincoln, seeking authority to adjust its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application as modified. 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 retained at \$.56 per mile, and the Tariff 22 fuel surcharge at \$2.04 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-1154 In the Matter of Cooperative Producers, Inc., Hastings, seeking to buy the grain represented on lost receipt B661157, issued to Margaret J. Casper, in the amount of 6.10 bushels of soybeans: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram to grant the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GW-2061 In the Matter of Colon Elevator Co., Colon: John Fecht discussed the shortage of soybeans.

GENERAL ADMINISTRATION

Motion made by Commissioner Anne Boyle, 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.

GENERAL ADMINISTRATION (Cont.)

Central Finance-Accounting & NIS Assessment FY 10	\$	13,488.00
Central Finance-Network Service		3,279.74
Susan Vanicek		1,457.63
Anne Boyle		594.00
Tim Schram		523.60

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Associated Hearing Health Care		1,782.25
B Hear Inc.		287.40
B Hear Inc.		8,548.80
Glassman's Hearing Aid Service		115.37
Glassman's Hearing Aid Service		509.97
Grand Island Hearing Aid Center		516.00
The Hearing Clinic		705.00
Carl A. Johnson Junior		778.91
Larry Kent & Associates		814.90
Larry Kent & Associates		2,799.80
Janet Killam		982.85
Professional Hearing Aid Services		1,994.45
Sherard Hearing Aid Center		254.19
Sherard Hearing Aid Center		2,740.10
Teltex		966.47
Weitbrecht Communications Inc.		2,410.30
Weitbrecht Communications Inc.		1,495.35
Western ENT Associates		669.85

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 August 11, 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 August 10, 2009.

Chairman

Executive Director