

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. Commissioner Landis announced that next week's meeting will start at 9:00 a.m.

GENERAL ADMINISTRATION

Notice was duly published December 1, 2009 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held December 8, 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:

Monday - Friday, December 14 - 18, 2009

NG-0060 Commission Hearing Room, Lincoln. In the Matter of
9:00 SourceGas Distribution LLC, Lakewood, Colorado, seeking
 approval of a general rate increase. Commissioner Rod
 Johnson presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4231/
PI-156 In the Matter of the Commission, on its own motion, seeking
 comment on the request by United Way of the Midlands to be
 assigned the use of "211" in Gage, Otoe, Johnson, Blaine,
Sherman, Valley, Red Willow, Hitchcock, Dundy, Chase, Hayes and Wes-
tern Frontier Counties, for access to First Call for Help (FCFH), a
comprehensive information and referral service: Motion made by Com-
missioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an
order opening the docket. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.
Commissioner Jerry Vap was appointed as the Hearing Officer.

E-2236 In the Matter of the Application of Lincoln Electric Sys-
 tem, Lincoln, seeking authority to construct, operate and
maintain electric transmission lines in Lancaster County: Motion
made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson,
to enter an order granting the application. Motion passed with Com-
missioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4145/ In the Matter of the Nebraska Public Service Commission, on
NUSF-74/ its own motion, seeking to conduct an investigation on
PI-147 intrastate switched access charge policies and regulation
codified in Neb. Rev. Stat. section 86-140. Gene Hand in-
formed the Commission that a Hearing Officer's Order was entered
December 7, 2009, continuing the hearing previously scheduled for
December 9, 2009, to January 6, 2010, at 9:30 a.m. in the Commission
Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Com-
missioner Anne Boyle, to enter orders approving funding requests for
Dockets 911-023.79 and 914-023.82. Motion passed with Commissioners
Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting
AYE.

911-023.79 In the Matter of Morrill County, Public Safety Answering
Point, Bridgeport, seeking funding approval for recurring
and non-recurring costs of Enhanced Wireless 911 implemen-
tation.

911-023.82 In the Matter of KBRC Regional E-911, Keya Paha, Brown,
Cherry and Rock Counties, seeking funding approval for
recurring and non-recurring costs of Enhanced Wireless 911
implementation.

911-024.32 In the Matter of the Nebraska Public Service Commission, on
its own motion, seeking to develop policies and process re-
quests for access to GIS data and the GIS Repository: Nebraska De-
partment of Roads: Motion made by Commissioner Tim Schram, seconded
by Commissioner Anne Boyle, to enter an order granting access. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram and Jerry Vap voting AYE.

911-023.36 In the Matter of the City of Lincoln/Lancaster County, Pub-
lic Safety Answering Point, seeking funding approval for
recurring and non-recurring costs associated with Enhanced Wireless
911 implementation. Commissioner Landis presiding as Hearing Officer:
Sue Vanicek informed the Commission that a Hearing Officer's Order was
entered December 2, 2009, continuing the hearing previously scheduled
for January 12, 2010, to January 19, 2010 at 1:30 p.m. in the Commis-
sion Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-33/
PI-68 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the audit requirements related to the Nebraska Universal Service Fund: Wil-Tel Communications, Inc.: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order approving an audit waiver. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
202 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant v. Opex Communications, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order dismissing the Complaint.

NATURAL GAS DEPARTMENT

NG-0060 In the Matter of SourceGas Distribution LLC, Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Rod Johnson presiding as Hearing Officer: Laura Demman discussed an order entered by the Hearing Officer on December 1, 2009, Denying Motion to Compel.

NG-0061 In the Matter of Black Hills/Nebraska Gas Utility Company, LLC, d/b/a Black Hills Energy, Omaha, seeking a General Rate Increase for Black Hills Energy's Rate Areas One, Two and Three (Consolidated): Laura Demman discussed the rate case application filed December 1, 2009. Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter a Notice of Assessment Order and order scheduling an informational workshop on January 12, 2010, immediately following the 10:00 a.m. regularly scheduled Commission meeting followed by a planning conference at 11:00 a.m. or immediately following the informational workshop in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Frank Landis was appointed as Hearing Officer.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter Assessment Orders in Dockets NG-0007.6/PI-151, NG-0046/PI-128, NG-0057 and NG-0060. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0007.6/
PI-151 In the Matter of Black Hills Energy, Omaha, seeking to
HS-007 amend the Black Hills Energy Tariff with the Third Revised Tariff Sheet Index No. 8, to provide for an Annual Retail Service Credit, pursuant to Neb. Rev. Stat. sec. 66-1808. Commissioner Tim Schram presiding as Hearing Officer.

NATURAL GAS DEPARTMENT (Cont.)

- NG-0046/
PI-128
GDS-005 In the Matter of the Commission, on its own motion, seeking to investigate certain customer service issues and plans relating to SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc., Lakewood, Colorado. Commissioner Vap presiding as Hearing Officer.
- NG-0057
GDS-007 In the Matter of gas supply cost adjustment schedules implemented by SourceGas Distribution LLC, Lakewood, Colorado, pursuant to *Neb. Rev. Stat. sec. 66-1854*. Commissioner Vap presiding as Hearing Officer.
- NG-0060
GDS-003 In the Matter of SourceGas Distribution LLC, Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Rod Johnson presiding as Hearing Officer.

Laura Demman reported a total number of 55 consumer complaints and inquiries received at the Commission during November. For each company: Black Hills - 2; SourceGas - 52; and Other Entities - 1.

TRANSPORTATION DEPARTMENT

- B-1708 In the Matter of Alton Davis, Lincoln, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1708 until December 1, 2010: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the suspension. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.
- B-1725 In the Matter of Dial-A-Ride Transport Services, Inc., 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 in the state of Nebraska over irregular routes. HHS Designation: Yes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order for pending dismissal. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 decreased to \$.60 per mile and Tariff 22 fuel surcharge to \$2.72 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-2169 In the Matter of R. F. S., Inc. dba Nebraska Ag Products, Wisner, seeking cancellation of its Grain Dealer License: Upon agreement of all Commissioners, the request was granted.

GD-2949 In the Matter of Nebraska Ag Trading, LLC, Wisner, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending September 30, 2010: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, 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.

Voyager	\$	1,818.10
West		898.54
Kent Pribyl		905.45
Tim Schram		187.00

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Associated Hearing Health Care	1,214.25
B Hear Inc.	6,373.70
Beltone	2,209.80
Glassman's Hearing Aid Service	113.70
Grand Island Hearing Aid Center	119.00
Harris Communications	664.75
The Hearing Clinic Inc.	1,010.00
Carl A. Johnson Jr.	1,424.00
Johnson Hearing Aid Service Inc.	309.76
League of Human Dignity	224.90
Professional Hearing Aid Services	2,739.20
Sherard Hearing Aid Center	189.95
Talk To Me Technologies	998.00
Teltex, Inc.	3,264.97
Weitbrecht Communications	3,683.65
Western ENT Associates	659.80
White Hearing Aid Specialists	344.90

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve Commission meeting and deliberation dates for the first quarter 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commission meeting dates are as follows:

January 5, 12, 20 (Wednesday following holiday) and 26
February 2, 9, 17 (Wednesday following holiday) and 23
March 2, 9, 16, 23 and 30

The meeting adjourned at 10:37 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 December 15, 2009, at 9:00 a.m. with an agenda to be available in the office of the Executive Director at 9:00 a.m. on December 14, 2009.

Chairman

Executive Director