

Chairman Gerald Vap 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 Vap 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 January 26, 2010 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 2, 2010 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, February 2, 2010

NG-0057 Niobrara Conference Room, Lincoln, call-in number 888-1:30 866-4213. Prehearing Conference. 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.

PI-159 Commission Hearing Room, Lincoln. Workshop. In the Matter of the Nebraska Public Service Commission, on its own motion, seeking an investigation into the necessity of Public Service certification for contractors with Division of Children and Family Services for the Child Welfare and Juvenile Services System Program. Commissioner Tim Schram presiding as Hearing Officer.

#### Tuesday, February 9, 2010

10:30 - Cornhusker Marriott, Lincoln. Broadband Mapping Workshop.  
5:00

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in January 2010. She reported there were a total of 82 complaints: 49 wireline and 33 wireless. The complaints were categorized as follows: 50 billing, 15 service and 17 miscellaneous issues.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter orders granting applications AD-489r, AD-490r and AD-491r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AD-489r      In the Matter of the Application of Tele-Town Hall, LLC, Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Las Vegas, Nevada.

AD-490r      In the Matter of the Application of Tele-Town Hall, LLC, Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Tustin, California.

AD-491r      In the Matter of the Application of Tele-Town Hall, LLC, Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Boone, Iowa.

C-4248/  
PI-160      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 Richardson County, for access to First Call for Help (FCFH), a comprehensive information and referral service: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4236      In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of a toll free service Jointly Provided Switched Access (JPSA) Amendment with Sprint Communications Company, L.P., Overland Park, Kansas, previously approved in Docket C-3089: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, 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-2240      In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Boone County: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, 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 provided a final report on the Nebraska Public Power District's (NPPD) Electric Transmission Reliability Project.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand provided a report on the status of the industry efforts to prepare for the implementation of the Commission approved Relief Plan for the 402 Area Code.

Gene Hand provided a report on the Broadband Mapping and Planning Grant activities.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-023.64 In the Matter of Gothenburg Police Department, Public Safety Answering Point, Gothenburg, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to deny the funding request. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to approve the extension requests of Three River Communications, Matrix Telecom, Inc. and Granite Telecommunications, LLC., for the submission of their carrier remittance worksheet audit that was due December 31, 2009.

NUSF-1, In the Matter of the Nebraska Public Service Commission, on P.O. #7 its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service fund: Three River Communications seeking an extension to February 12, 2010.

NUSF-1, In the Matter of the Nebraska Public Service Commission, on P.O. #7 its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service fund: Matrix Telecom, Inc. seeking extension to April 30, 2010.

NUSF-1, In the Matter of the Nebraska Public Service Commission, on P.O. #7 its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service fund: Granite Telecommunications, LLC. seeking an extension to April 30, 2010.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle to levy late fees against Telenational Communications and IDT America Corporation, open a complaint against Ztar Mobile, Inc. and amend the current complaint NUSF-37.201 against USA Digital Communications to include the late-filed carrier remittance worksheet due December 31, 2009. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Assessment Orders in Dockets NG-0057, NG-0060 and NG-0061. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

- NG-0057      In the Matter of gas supply cost adjustment schedules  
GDS-009      implemented by SourceGas Distribution LLC, Lakewood,  
                 Colorado, pursuant to *Neb. Rev. Stat. sec. 66-1854*.  
                 Commissioner Vap presiding as Hearing Officer.
- NG-0060      In the Matter of SourceGas Distribution LLC, Lakewood,  
GDS-005      Colorado, seeking approval of a general rate increase.  
                 Commissioner Rod Johnson presiding as Hearing Officer.
- NG-0061      In the Matter of Black Hills/Nebraska Gas Utility Company,  
GDS-001      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). Commissioner Frank Landis pre-  
                 siding as Hearing Officer.

Laura Demman reported a total number of 34 consumer complaints and inquiries received at the Commission during January. For each company: Black Hills - 8; SourceGas Distribution - 24; North-Western Energy - 1; and Other Entities - 1.

LEGISLATIVE REPORT

Angela Melton discussed 2010 legislative issues.

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to support the following 2010 legislative bills: LB 723, LB 811 and LB 857. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

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 \$.66 per  
                 mile and the Tariff 22 fuel surcharge to \$3.08 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 Frank Landis, seconded by Commissioner Rod Johnson, 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 Services-Network Services	\$ 3,452.51
Anne Boyle	366.80
Tim Schram	408.00

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The meeting adjourned at 10:33 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 February 9, 2010, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on February 8, 2010.

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Chairman

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Executive Director