

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 February 4, 2010 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 9, 2010 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Wednesday, February, 10, 2010

NG-0057 Commission Hearing Room, Lincoln. Prehearing Conference.
GDS-006 In the Matter of gas supply cost adjustment schedules
1:30 implemented by SourceGas Distribution LLC, Lakewood,
Colorado, pursuant to *Neb. Rev. Stat. sec. 66-1854*.
Commissioner Jerry Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter orders granting applications AD-492r and AD-493r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AD-492r In the Matter of the Application of Christopher N. Geary, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device.

AD-493r In the Matter of the Application of CT Livestock Freight, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter orders approving applications C-4235 and C-4237. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4235 In the Matter of the Application of Windstream Nebraska, Inc., Little Rock, Arkansas, seeking approval of an Interconnection Agreement with Metropolitan Telecommunications of Nebraska, Inc. d/b/a Mettel, New York, New York.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4237 In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of a wireless toll 8XX Jointly Provided Switched Access (JPSA) Amendment with Sprint Spectrum, L.P., Overland Park, Kansas, previously approved in Docket C-2768.

Gene Hand informed the Commission that the next Telecommunications Relay Service (TRS) Advisory Committee meeting is scheduled for February 22, 2010, at 2:00 p.m. CDT in the Commission Hearing Room, Lincoln with a video link to the Nebraska State Office Building, Room 207, 1313 Farnam on the Mall, Omaha.

Gene Hand reported on the status of the Broadband Mapping and Planning Grant.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-024.33 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository. Apex Covantage, LLC: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order approving GIS repository access. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-039/
PI-145 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate issues associated with Viper 911 equipment: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek discussed the vacancies on the Wireless E-911 Advisory Board and asked for Commission approval to publish an invitation to submit applications: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve publication of the public and wireless industry representative vacancies. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-1628/
NUSF In the Matter of the Commission, on its own motion, seeking to conduct an investigation into intrastate access charge
P.O. #27 reform and intrastate universal service fund: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the Petition by Qwest Communications to change their EARN FORM election. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-37. In the Matter of Sue Vanicek, Director, Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant v. Aero Communications, Inc.: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-75 In the Matter of Sue Vanicek, Director, Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant v. Lightyear Network Solutions, LLC, Respondent: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

On February 8, 2010, SourceGas filed a request to extend the deadline to file the 2010 Annual Commodity-Related Bad Debt Cost Adjustment applicable to Nebraska Rate Schedule CGS (Choice Gas Service), from February 15, 2010, as provided in Tariff Sheet No. 10K, to March 15, 2010, pursuant to a letter dated February 5, 2010. Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve extension of the deadline to file the Cost Adjustment report from February 15, 2010, to March 15, 2010. 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 implemented by SourceGas Distribution LLC, Lakewood, Colorado pursuant to *Neb. Rev. Stat. sec. 66-1854*. Commissioner Vap presiding as Hearing Officer: Laura Demman discussed an order entered by the Hearing Officer on February 3, 2010, continuing the hearing previously scheduled for February 10, 2010, to a date later to be determined and setting a prehearing conference for February 10, 2010, at 1:30 p.m. in the Niobrara Conference Room, Lincoln. Parties wishing to participate by telephone should call 1-888-820-1398, access code 8417673#.

LEGISLATIVE REPORT

Angela Melton discussed 2010 legislative issues.

TRANSPORTATION DEPARTMENT

B-1728 In the Matter of Central Limousine, LLC, Grand Island, seeking to acquire, through transfer, the certificate held by R&F Hobbies, Inc., dba Aquila Limo, in Certificate B-1697: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-14209 In the Matter of Lincoln Relocation, Inc., Lincoln, seeking to acquire, through transfer, the certificate granted to Miracle Movers, Inc. in Certificate M-14187: Motion made by Commissioner Frank Landis, 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.

Rate Division

LR-311 In the Matter of Aquila Limo, Ravenna, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE and Commissioner Anne Boyle voting NAY.

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 \$.64 per mile and the Tariff 22 fuel surcharge decreased to \$2.88 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-2119 In the Matter of M. G. Waldbaum Company dba Wayne Grain & Feed, Wakefield, seeking a \$250,000 deductible on its stock insurance coverage: 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.

Grain Dealer Division

GD-2951 In the Matter of Ag Trading Corporation, Roswell, Georgia, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending December 31, 2010: Motion made by Commissioner Tim Schram, 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.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, 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.

Attorney General	\$	2,722.00
ESRI		1,400.00
Voyager		1,603.49
West		898.54
Kent Pribyl		827.61

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Dynavox Systems		612.75
Alternative Hearing		440.00
Associated Hearing Health Care		568.70
B Hear Inc.		1,736.05
Beltone		1,415.35
Dynavox Systems		1,000.00
Glassman's Hearing Aid Services		153.00
Grand Island Hearing Aid Center		683.00
Hearing Aid Center of Columbus Carl A. Johnson Jr.		199.95
Johnson Hearing Aid Service Inc.		313.50
Professional Hearing Aid Services		144.72
Sherard Hearing Aid Center		600.85
Talk To Me Technologies		428.45
Teltex Inc.		998.00
Weitbrecht Communications		1,081.42
White's Hearing Aid Specialists		6,412.85
		164.95

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to approve Commission minutes for January, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Deputy Director's recommendation to approve the attached 2010 agency filing fees. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:20 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 23, 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 22, 2010.

Chairman

Deputy Director

