

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 March 16, 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 March 23, 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:

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). Commissioner Frank Landis presiding as Hearing Officer: Town Hall meetings are scheduled as follows:

Monday, March 29, 2010

10:00 City Council Chambers, City Hall, 444 So. Main, West Point
1:00 City Council Chambers, City Hall, 218 So. 16th St., Blair
4:00 City Council Chambers, City Hall, 210 West Mission Avenue, Bellevue
6:00 City Council Chambers, City Hall, 8116 Park View Boulevard, LaVista

Tuesday, March 30, 2010

5:30 Commission Hearing Room, Lincoln

Wednesday, March 31, 2010

5:30 City Council Chambers, City Hall, 2304 Silver, Ashland

Thursday, April 1, 2010

10:00 City Council Chambers, City Hall, 309 Madison Avenue, Norfolk
1:00 City Council Chambers, City Hall, 1369 25th Avenue, Columbus
6:00 City Council Chambers, City Hall, 100 East 4th, York

COMMUNICATIONS DEPARTMENT

C-4249 In the Matter of the Joint Application of DeltaCom, Inc. and Business Telecom, Inc., Huntsville, Alabama, seeking approval of Guarantee of Indebtedness: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to vacate the order granted on March 16, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

John Burvainis discussed the Broadband Mapping/Planning Grant.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to levy a late-fee against CenturyLink, f/k/a Embarq Communications, Inc. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek informed the Commission that the next Wireless E-911 Advisory Board Meeting is scheduled for May 17, 2010 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

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 SourceGas Distribution LLC's Motion to Suspend Rate Order and Public Advocate's Motion for Clarification and Reconsideration of Order Granting Application in Part or, in the Alternative, for Rehearing and an order entered by the Hearing Officer on March 23, 2010, scheduling responses to the Motion to Reconsider and Motion for Stay due March 26, 2010, at 5:00 P.m. CDT and an Oral Argument for March 30, 2010, at 1:30 p.m. CDT at the Commission Hearing Room, Lincoln.

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). Commissioner Frank Landis presiding as Hearing Officer: Laura Demman discussed the order entered by the Hearing Officer on March 19, 2010, scheduling town hall meetings as follows:

Monday, March 29, 2010

10:00 City Council Chambers, City Hall, 444 South Main, West Point
1:00 City Council Chambers, City Hall, 218 South 16th Street, Blair
4:00 City Council Chambers, City Hall, 210 W. Mission Avenue, Bellevue
6:00 City Council Chambers, City Hall, 8116 Park View Blvd, LaVista

NATURAL GAS DEPARTMENT (Cont.)

Tuesday, March 30, 2010

5:30 Commission Hearing Room, Lincoln

Wednesday, March 31, 2010

5:30 City Council Chambers, City Hall, 2304 Silver, Ashland

Thursday, April 1, 2010

10:00 City Council Chambers, City Hall, 309 Madison Avenue, Norfolk
1:00 City Council Chambers, City Hall, 1369 25th Avenue, Columbus
6:00 City Council Chambers, City Hall, 100 East 4th, York

NG-0061 In the Matter of Black Hills/Nebraska Gas Utility Company,
HS-003 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 presiding as
Hearing Officer: Motion made by Commissioner Frank Landis, seconded
by Commissioner Rod Johnson, to enter Assessment Order HS-003. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Nichole Mulcahy discussed 2010 legislative issues.

TRANSPORTATION DEPARTMENT

B-1712 In the Matter of DW & JW, Inc., dba Luxury Limousine &
Trolley Service, Syracuse: Motion made by Commissioner
Frank Landis, seconded by Commissioner Tim Schram, to enter an order
suspending the authority until March 1, 2011. Motion passed with Com-
missioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

B-1757 In the Matter of Night Life Limousine, LLC, Beatrice, seek-
ing to acquire, through transfer, the authority granted to
Kyle Halsey, dba Heartland Limousine, in Certificate B-1664: Motion
made
by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to
enter an order granting temporary operating authority. Motion passed
with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram
and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

LR-312 In the Matter of The Party Zone, LLC, dba Partyzonelimos.com, Omaha, seeking authority to set its rates and charges:
Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, 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.

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 increased to \$.70 per mile and the Tariff 22 fuel surcharge to \$3.56 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-1119 In the Matter of John A. Fecht, Director Warehouse Department, Complainant v. Trotter, Incorporated dba Trotter Grain and Fertilizer Company, Arcadia, Defendant: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter a Complaint, Order to Show Cause and schedule a hearing for May 4, 2010 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Jerry Vap appointed as Hearing Officer.

GW-2171 In the Matter of John A. Fecht, Director Warehouse Department, Complainant v. B4 Grain, Inc., Kearney, Defendant: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter a Complaint, Order to Show Cause and schedule a hearing was scheduled for May 4, 2010 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Jerry Vap was appointed as Hearing Officer.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to approve the following Commission invoice. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sprint \$ 59,069.83

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter into closed session to discuss personnel issues. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission entered into closed session at 10:17 a.m.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 11:15 a.m.

The meeting adjourned at 11:15 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 March 30, 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 March 29, 2010.

Chairman

Executive Director