

Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Gerald Vap present and Commissioner Frank Landis excused. 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 24, 2010 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held March 30, 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:

The following town hall meetings have been scheduled related to the Black Hills Energy rate case:

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.

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

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter orders granting applications AD-496r, AD-497r through AD-498r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

- AD-496r In the Matter of the Application of Meridian Central Public Affairs, LLC, Omaha, seeking authority to register the connection of an automatic dialing-announcing device in Las Vegas, Nevada.
- AD-497r In the Matter of the Application of Meridian Central Public Affairs, LLC, Omaha, seeking authority to register the connection of an automatic dialing-announcing device in Denver, Colorado.
- AD-498r In the Matter of the Application of Meridian Central Public Affairs, LLC, Omaha, seeking authority to register the connection of an automatic dialing-announcing device in Dallas, Texas.
- C-4262/
PI-164 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 McPherson, Logan and Thomas Counties, for access to First Call for Help (FCFH), a comprehensive information and referral service: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.
- E-2246 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 Platte County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.
- C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Gene Hand informed the Commission that \$81.04 was transferred from the Competitive Marketplace Fund to the Internet Enhancement Fund on March 25, 2010.

Gene Hand informed the Commission that the Senate Committee on Commerce, Science and Transportation hearing on the Federal Communications Commission's National Broadband Plan previously scheduled for March 23, 2010, was cancelled.

Gene Hand discussed the speed test that has been added to the Commission website and reviewed the training schedule for field verification staff.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand provided copies to the Commissioners of a brochure describing relay services available to deaf, deaf and blind, hard-of-hearing and speech impaired Nebraskans.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order amending Phase I LEC costs in the following 911-023 dockets and seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE Commissioner Anne Boyle voting NAY, and Commissioner Frank Landis excused not voting.

- 911-023.01 In the Matter of Sarpy County, Public Safety Answering Point, Papillion.
- 911-023.02 In the Matter of Douglas County, Public Safety Answering Point, Omaha.
- 911-023.03 In the Matter of Buffalo County, Public Safety Answering Point, Kearney.
- 911-023.04 In the Matter of Custer County, Public Safety Answering Point, Broken Bow.
- 911-023.05 In the Matter of Hall County, Public Safety Answering Point, Grand Island.
- 911-023.06 In the Matter of Dodge County, Public Safety Answering Point, Fremont.
- 911-023.07 In the Matter of Cedar County, Public Safety Answering Point, Hartington.
- 911-023.08 In the Matter of Cuming County, Public Safety Answering Point, West Point.
- 911-023.09 In the Matter of Chase County, Public Safety Answering Point, Imperial.
- 911-023.10 In the Matter of Hamilton County, Public Safety Answering Point, Aurora.
- 911-023.11 In the Matter of Merrick County, Public Safety Answering Point, Central City.
- 911-023.12 In the Matter of Washington County, Public Safety Answering Point, Blair.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-023.13 In the Matter of Keith County, Public Safety Answering Point, Ogallala.
- 911-023.14 In the Matter of Howard County, Public Safety Answering Point, St. Paul.
- 911-023.15 In the Matter of Colfax County, Public Safety Answering Point, Schuyler.
- 911-023.17 In the Matter of Dawson County, Public Safety Answering Point, Lexington.
- 911-023.18 In the Matter of Cheyenne County, Public Safety Answering Point, Sidney.
- 911-023.19 In the Matter of Kearney County, Public Safety Answering Point, Minden.
- 911-023.20 In the Matter of Furnas County, Public Safety Answering Point, Beaver City.
- 911-023.21 In the Matter of Boyd-Holt Counties, Public Safety Answering Point, O'Neill.
- 911-023.23 In the Matter of Dawes County, Public Safety Answering Point, Chadron.
- 911-023.25 In the Matter of Lincoln County, Public Safety Answering Point, North Platte.
- 911-023.26 In the Matter of Antelope County, Public Safety Answering Point, Neligh.
- 911-023.27 In the Matter of Platte County, Public Safety Answering Point, Columbus.
- 911-023.30 In the Matter of Box Butte County, Public Safety Answering Point, Alliance.
- 911-023.32 In the Matter of Perkins County, Public Safety Answering Point, Grant.
- 911-023.38 In the Matter of Red Willow County/McCook, Public Safety Answering Point, McCook.
- 911-023.39 In the Matter of Norfolk Police Department, Public Safety Answering Point, Norfolk.
- 911-023.40 In the Matter of Boone County, Public Safety Answering Point, Albion.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-023.42 In the Matter of Wayne County, Public Safety Answering Point, Wayne.

911-023.47 In the Matter of Knox County, Public Safety Answering Point, Center.

911-023.49 In the Matter of Sheridan County, Public Safety Answering Point, Rushville.

911-023.50 In the Matter of the City of Holdrege, Holdrege.

911-023.51 In the Matter of Dixon County, Public Safety Answering Point, Ponca.

911-023.59 In the Matter of Burt County, Public Safety Answering Point, Tekamah.

911-023.60 In the Matter of Rock County, Public Safety Answering Point, Bassett.

911-023.61 In the Matter of Region 26, Public Safety Answering Point, Taylor.

911-023.62 In the Matter of Thurston County, Public Safety Answering Point, Pender.

911-041/
PI-158 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate issues associated with Plant CML equipment and maintenance: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order closing the investigation. Motion passed with Commissioners Boyle, Johnson, Schram and Vap voting AYE and Commissioner Frank Landis excused not voting.

911-042 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order opening the docket. Motion passed with Commissioners Boyle, Johnson, Schram and Vap voting AYE and Frank Landis excused not voting.

911-043 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order opening the docket. Motion passed with Commissioners Boyle, Johnson, Schram and Vap voting AYE and Commissioner Frank Landis excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Sue Vanicek informed the Commission that the next NUSF Advisory Board meeting is scheduled for April 21, 2010 at 2:00 p.m. in the Commission Hearing Room, Lincoln.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter Assessment Orders in Dockets NG-0057, NG-0060 and NG-0061. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

NG-0057 In the Matter of gas supply cost adjustment schedules
GDS-0011 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-007 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-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.

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: Angela Melton discussed the order entered by the Hearing
Officer on March 26, 2010, setting a deadline for Responses to Motion
to File Witness List and Exhibit List after Deadline no later than
April 5, 2010.

RULES AND REGULATION

Rule and In the Matter of the Commission, on its own motion, seeking
Regulation to amend Title 291, Chapter 5, Telecommunications Rules and
#172 seeking to amend Title 291, Chapter 5, Telecommunications
Rule and Regulations, to add rules regarding customer bill-
ing practices. Commissioner Frank Landis presiding as Hearing Offi-
cer: Nichole Mulcahy informed the Commission that the rule and regu-
lation was returned approved from the Attorney General's Office on
March 19th and forwarded to the Governor on March 23rd for signature.

LEGISLATIVE REPORT

Angela Melton discussed 2010 legislative issues. Mike Hybl informed the Commission that Monday, March 29, 2010 was the last day that individual members of the Legislature could introduce interim study resolutions. Each standing committee has the ability to introduce one study resolution up to the 60th legislative day. Commission staff will brief the Commission on all proposed studies of interest at the Commission meeting scheduled for April 20, 2010 following the conclusion of the 2010 Legislative session.

TRANSPORTATION DEPARTMENT

B-1584 In the Matter of Robert Bass, dba Choice Medical Transportation, LaVista: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order suspending the certificate until December 1, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

B-1750 In the Matter of O.U.R. Homes, Lincoln, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of clientele and their baggage between points in Lancaster County, on the one hand, and, on the other hand, points in the state of Nebraska over irregular routes. HHS Designation: Yes: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

B-1751 In the Matter of Chad Schinstock, dba Schinny's Wild Ride, LLC, West Point, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in special party service between points in Cuming, Dodge, Burt, Thurston, Stanton and Colfax Counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

B-1753 In the Matter of New Cassel, Inc., Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers who are clients of the Franciscan Center, Adult Day Care Program, and their baggage in open class service between points in Douglas, Sarpy, and Washington counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes under contract with Nebraska Health and Human Services. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Restricted to the transportation of the clients of the Franciscan Center, Adult Day Care Program: Motion made

TRANSPORTATION DEPARTMENT (Cont.)

B-1753 by Commissioner Tim Schram, seconded by Commissioner Rod (Cont.) Johnson, to schedule a video hearing for May 13, 2010, at 9:30 a.m. in the Commission Hearing Room, Lincoln, and Nebraska State Office Building, 1313 Farnam, Room 207, Omaha. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting. Commissioner Boyle was appointed as Hearing Officer.

B-1757 In the Matter of Night Life Limousine, LLC, Beatrice, seeking to acquire, through transfer, the authority granted to Kyle Halsey, dba Heartland Limousine, Beatrice, in Certificate B-1664: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the application and revoking Certificate B-1664. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

MCC-3172 In the Matter of Mark J. Breiner, Director, Motor Transportation Department, Nebraska Public Service Commission, vs. Black Tie Limousine, Inc., Dashabout Roadrunner, Inc., Jone-Z party Bus, Terry L. Blakey Enterprises, LLC, Choice Medical Transportation and Movers Not Shakers: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to cancel the hearing previously scheduled for April 6, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

Rate Division

LR-313 In the Matter of Night Life Limousine, LLC, Beatrice, seeking authority to set its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

MR-1009/
PI-70 In the Matter of the Commission, on its own motion, initiated an investigation on range uniformity in the Official Intracity Household Goods Tariff 22: Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to reschedule the hearing previously set for April 6, 2010, at 2:00 p.m. in the Commission Hearing Room, Lincoln, to 1:00 p.m. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

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

GRAIN WAREHOUSE DEPARTMENT

In the Matter of Schedule A & E Rates and Charges: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order scheduling a video hearing for May 19, 2010 at 1:30 p.m. in the Commission Hearing Room, Lincoln Panhandle Research and Extension Center, High Plains Room, 4502 Avenue I, Scottsbluff. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting. Commissioner Tim Schram was appointed as Hearing Officer.

Grain Dealer Division

GD-2903 In the Matter of Hawkeye Commodities Company, Grimes, IA: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order Granting Waiver of the Commission's Net Worth Requirements. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

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, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

Rod Johnson	\$ 671.00
Jerry Vap	1,025.00

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter into closed session to discuss personnel issues. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting. The Commission entered into closed session at 10:34 a.m.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting. The Commission returned to open session at 10:46 a.m.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to accept the resignation of a Grain Warehouse Department employee. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to open the position of Grain Warehouse Examiner. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to increase the compensation of legal counsel in the General Administration and Natural Gas Departments. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

The meeting adjourned at 10:46 a.m. with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Gerald Vap present and Commissioner Frank Landis excused. The next regularly scheduled meeting will be held on April 6, 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 April 5, 2010.

Chairman

Executive Director