

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. Chairman Vap announced that next weeks Commission meeting will begin at 9:00 a.m.

GENERAL ADMINISTRATION

Notice was duly published May 11, 2010 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 18, 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, May 18, 2010

NUSF-4 Commission Hearing Room, Lincoln. In the Matter of the  
P.O. #15 Commission, on its own motion, seeking to determine the  
1:30 level of the fund necessary to carry out the Nebraska  
Telecommunications Universal Service Fund Act beginning  
July 1, 1999.

Wednesday, May 19, 2010

10:00 Commission Hearing Room, Lincoln. Pre-hearing Conference.  
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 pre-  
siding as Hearing Officer.

1:30 Commission Hearing Room, Lincoln, and Panhandle Research  
A&E Rates and Extension Center, High Plains Room, 4502 Avenue I,  
Scottsbluff. In the Matter of Schedule A & E Rates and  
Charges. Commissioner Tim Schram presiding as Hearing  
Officer.

Monday, May 24, 2010 - Friday May 28, 2010

NG-0061 Commission Hearing Room, Lincoln. In the Matter of Black  
9:00 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 (Consoli-  
dated). Commissioner Frank Landis presiding as Hearing  
Officer.

COMMUNICATIONS DEPARTMENT

C-4258 In the Matter of the Application of Houlton Enterprises, Inc. d/b/a Guaranteed Phone Service, Council Bluffs, Iowa, seeking approval to withdraw their authority as a local exchange provider in the State of Nebraska: 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, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4273/ DC-77 In the Matter of the Nebraska Public Service Commission regarding the 2009 Annual Report Filings: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order opening the docket. 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 Anne Boyle, to enter orders granting applications E-2252 through E-2254. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2252 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Dakota County.

E-2253 In the Matter of the Application of Norris Public Power District, Beatrice, seeking authority to construct, operate and maintain an electric transmission line in Thayer County.

E-2254 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County.

Gene Hand reported that the staff received confirmation that the initial broadband data was uploaded to the National Telecommunications Information and Administration (NTIA) on Friday, May 14, 2010.

Gene Hand discussed information developed to respond to Commissioner questions posed during the May 12, 2010 meeting regarding "Recovery Fees".

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, that the complaint currently open against NetOne International should be amended to include the late-filed 1st Quarter, 2010 worksheet, that complaints be opened against Norstan Network Services and OneLink Communications and a late-fee levied against Onstar Corporation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

Request for an Interpretation Regarding the Applicability of *Neb. Rev. Stat. § 75-148* to Jurisdictional Utilities as Defined in the State Natural Gas Regulation Act, *Neb. Rev. Stat. § 66-1801*, et seq.: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the proposed Commission response to refinancing of debt as outlined in a letter received from NorthWestern Energy. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0061      In the Matter of Black Hills/Nebraska Gas Utility Company,  
HS-0010      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 Anne Boyle, seconded by  
Commissioner Tim Schram, to enter Assessment Order HS-0010. Motion  
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim  
Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1745      In the Matter of WADD I, LLC, dba Wings of Love, LLC,  
Omaha, seeking authority as a contract carrier in the  
transportation of passengers and their baggage by van in open class  
service between points in Douglas County. 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 Nunc Pro Tunc.  
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank  
Landis, Tim Schram and Jerry Vap voting AYE.

Mark Breiner informed the Commission that the following complaints were filed and served upon the respective Omaha taxicab companies:

MCC-3173      In the Matter of Mark J. Breiner, Director, Public Service  
Commission vs. Yellow Cab Company, Omaha.

TRANSPORTATION DEPARTMENT (Cont.)

MCC-3174 In the Matter of Mark J. Breiner, Director, Public Service Commission vs. Checker Cab Company, Omaha.

MCC-3175 In the Matter of Mark J. Breiner, Director, Public Service Commission vs. Valor Transportation, Omaha.

MCC-3176 In the Matter of Mark J. Breiner, Director, Public Service Commission vs. DonMark, Inc., dba Cornhusker Cabs, Omaha.

MCC-3177 In the Matter of Mark J. Breiner, Director, Public Service Commission vs. Happy Cab Company, Omaha.

PI-170 In the Matter of the investigation of Omaha Taxicabs:  
Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order opening an investigation. 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 \$.78 per mile and the Tariff 22 fuel surcharge to \$4.32 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-19 In the Matter of J. E. Meuret Grain Co., Inc., Brunswick: John Fecht discussed the shortage of vistic beans.

GW-267 In the Matter of Greenwood Farmers Cooperative dba Midwest Farmers Cooperative, Greenwood: John Fecht discussed the shortage of oats.

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 an Order approving a Stipulation and cancelling the hearing previously scheduled for May 19, 2010. 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 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.

DAS-Accounting	\$	600.19
Sprint		64,363.30

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Kent Pribyl to travel to Clay Center, Kansas on May 18, 2010 to perform a modular housing unit factory inspection OF Wardcraft Homes. All expenses, including time, will be reimbursed to the Commission by Wardcraft Homes, Inc. 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 Anne Boyle, to approve the Executive Director's recommendation to authorize Mark Breiner to travel to and attend the 2010 National Conference of State Transportation Specialists Annual Conference to be held in Park City, Utah from June 5-9, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to authorize Commissioner Frank Landis to travel to and attend the 2010 National Conference of State Transportation Specialists Annual Conference to be held in Park City, Utah from June 5-9, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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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 May 25, 2010, at 9:00 a.m. with an agenda to be available in the office of the Executive Director at 9:00 a.m. on May 24, 2010.

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Chair man

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Executive Director