

Chairman Gerald Vap called the regularly scheduled meeting to order at 9:00 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Anne Boyle 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. Chairman Vap announced that next weeks Commission meeting will be on Wednesday, June 2, 2010 at 10:00 a.m.

GENERAL ADMINISTRATION

Notice was duly published May 19, 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 May 25, 2010 at 9:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, May 25 through May 28, 2010

NG-0061 Commission Hearing Room, Lincoln. 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.
9:00

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders granting applications AD-502r and AD-503r. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

AD-502r In the Matter of the Application of TCN, Inc., Saint George, Utah, seeking authority to register the connection of an automatic dialing-announcing device.

AD-503r In the Matter of the Application of Voice Business Solutions, Lathrup Village, Michigan, seeking authority to register the connection of an automatic dialing-announcing device.

C-4263 In the Matter of the Application of Discount Long Distance, LLC, Oakdale, Minnesota, seeking authority to operate as an interexchange carrier of telecommunications services within the State of Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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 excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4264 In the Matter of the Application of NebraskaLink, LLC, Aurora, seeking authority to operate as an interexchange carrier of telecommunications services within the State of Nebraska: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, 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 excused not voting.

C-4266 In the Matter of the Application of Global Crossing North American Networks, Inc., Rochester, New York, seeking approval of a petition for merger with Global Crossing Telecommunications, Inc., Rochester, New York, and cancellation of Global Crossing North American Networks, Inc.'s certificate: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, 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 excused not voting.

C-4267 In the Matter of the Joint Application of Comtel Telcom Assets LP, Irving, Texas, and Matrix Telecom, Inc., Dallas, Texas, seeking approval of the transfer of assets and customers from Comtel Telcom Assets LP to Matrix Telecom, Inc: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, 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 excused not voting.

C-4273/
DC-77 In the Matter of the Nebraska Public Service Commission regarding the 2009 Annual Report Filings: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter a show cause order and schedule a hearing for August 3, 2010, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. Commissioner Rod Johnson was appointed as Hearing Officer.

C-4268 In the Matter of the Application of Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska, Rochester, New York, seeking approval of an Opt-In Agreement for Local Interconnection with Time Warner Cable Information Services (Nebraska), LLC, New York, New York: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2255 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 Frank Landis, 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 excused not voting.

C-4145/ In the Matter of the Nebraska Public Service Commission, on
NUSF-74/ its own motion, to conduct an investigation on intrastate
PI-147 switched access charge policies and regulation codified in
Neb. Rev. § 86-140. Commissioner Frank Landis presiding as
Hearing Officer: John Burvainis informed the Commission that on
May 20, 2010, AT&T filed an appeal of the Commission's April 20, 2010,
order in the Lancaster County District Court.

C-4165/ In the Matter of the Commission, on its own motion, seeking
PI-150 to investigate whether it is appropriate for telecommunica-
tions companies to assess intrastate transit charges on Ex-
tended Area Service Traffic: John Burvainis informed the Commission
that a Hearing Officer order was entered on May 24, 2010, denying the
Rural Independent Company (RIC) Intervenor's Motion to Strike and
granting RIC and Qwest an opportunity to file surreply comments con-
currently on or before June 7, 2010.

John Burvainis discussed the Broadband Mapping/Planning Grant.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-020.04 In the Matter of Sue Vanicek, Director of the Nebraska
DC-78 Telecommunications Infrastructure and Public Safety Depart-
ment of the Nebraska Public Service Commission, Complain-
ant, v. ACN Communications Services, Inc; Aventure Communications
Technology, LLC; Big River Telephone Company, LLC; BLC Management,
LLC; BT Communications; DSLnet Communications, LLC; Entelegent Solu-
tions, Inc; Geneva Broadband, LLC; Intrado Communications, Inc;
Kentucky Data Link, Inc; Net Talkcom, Inc; Northstar Telecom, Inc; XO
Communications Services, Inc, Respondent(s): Nichole Mulcahy discussed
the carriers that have failed to submit an annual Wireless E-911 re-
port. Motion made by Commissioner Tim Schram, seconded by Commis-
sioner Rod Johnson, to open a complaint. Motion passed with Commis-
sioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting
AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Frank Landis, seconded by Com-
missioner Rod Johnson, to enter orders dismissing Complaints NUSF-
37.188, NUSF-37.211 and NUSF-37.212. Motion passed with Commissioners
Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and
Commissioner Anne Boyle excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
188 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Houlton Enterprises, Respondent.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
211 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Services Commission, Complainant, v. McGraw Communications, Inc., Respondent.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
212 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Services Commission, Complainant, v. LCR Telecommunications, LLC, Respondent.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
192 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Network US dba CA Affinity, Respondent. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order sustaining the Complaint and revoking authority to operate as a telecommunications carrier in Nebraska. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NUSF-74/
C-4145/
PI-147 In the Matter of the Nebraska Public Service Commission,
on its own motion, to conduct an investigation on intrastate switched access charge policies and regulation codified in Neb. Rev. Stat. section 86-140: The appeal AT&T filed in Lancaster County District Court on May 20, 2010 was discussed under the Communication's Department agenda.

NATURAL GAS DEPARTMENT

NG-0061 In the Matter of Black Hills/Nebraska Gas Utility Company,
HS-009 LLC, d/b/a Black Hills Energy, Omaha, seeking a General
HS-0011 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 Tim Schram, to enter Assessment Orders HS-009 and HS-0011. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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 an order entered by the Hearing Officer on May 20, 2010, denying motions.

TRANSPORTATION DEPARTMENT

B-1646 In the Matter of Thuc Van Ngo, dba South Sioux Taxi, South Sioux City, seeking to extend the authority held by Thuc Van Ngo, dba South Sioux Taxi, in Certificate B-1646, which reads as follows: Transportation of passengers and their baggage between points in Dakota County, Nebraska, by the addition of the authority to transport clients of HHS. Commissioner Rod Johnson presiding as Hearing Officer. A video hearing was scheduled for July 14, 2010, at 10:00 a.m. in the Commission Hearing Room, Lincoln, and City Hall, 1615 1st Avenue, South Sioux City.

B-1747 In the Matter of Standfast Transportation, Omaha, seeking to acquire, through transfer, the Certificate held by Caring Network, Inc., Omaha, in Certificate B-1597: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application and revoking Certificate B-1597. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE and Commissioner Anne Boyle excused not voting.

M-14210 In the Matter of Umbrella House, Inc., dba Action Movers, Omaha, seeking to acquire, through transfer, the Certificate held by Bryan E. Slotter, dba Bryan's Team Moving, Omaha, in Certificate M-14140: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the application and revoking Certificate M-14140. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Rate Division

BR-360 In the Matter of Divine Destinations, LLC, Wayne, seeking authority to set its rates and charges: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

BR-361 In the Matter of WADD I, LLC, dba Wings of Love, LLC, Omaha seeking authority to set its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

BR-362 In the Matter of New Cassel, Inc., Omaha, seeking authority to set its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

BR-363 In the Matter of Chad Schinstock, dba Schinny's Wild Ride, LLC, West Point, seeking authority to set its rates and charges: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

BR-365 In the Matter of Friendship Program, Inc., Omaha, seeking authority to set its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

MR-1009/
PI-70 In the Matter of the Commission, on its own motion, initiating an investigation on range uniformity in the Official Intracity Household Goods Tariff 22 and to develop procedures for efficiently processing household goods mover tariff amendments: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order maintaining the tariff at the current rates. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle 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 decreased to \$.76 per mile, and the Tariff 22 fuel surcharge was decreased to \$4.00 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich updated the Commission on the financial status of the department and the progress of a recreational vehicle manufacturer's repairs to units sold in Nebraska.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve the following Commission invoices. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Angela Melton	\$ 1, 008.41
Anne Boyle	301.30
Gerald Vap	705.00

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$ 835.00
Amplified Phone Service	2,310.66
B Hear Inc.	947.70
Larry Kent & Associates	417.75
Glassman's Hearing Aid	109.95
Grand Island Hearing Aid	1,347.00
Carl Johnson Jr.	522.35
Thomas Tambling	1,220.13
Midwest Hearing Consultants	449.40
Sprint	199.98
Teltex Inc.	436.22
Hearing Clinic Inc.	685.00
Hearing Clinic Inc.	190.00
Weitbreicht Communications	361.50
Western ENT Associates PC	17,169.13

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Commission minutes for the month of April. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Directors recommendation to cancel the Commission meeting scheduled for June 8, 2010 to enable members of the Commission to attend the 2010 Mid-America Regulatory Conference (MARC) meeting in Kansas City, Missouri. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

The meeting adjourned at 9:26 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Anne Boyle excused. The next regularly scheduled meeting will be held on June 2, 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 June 1, 2010.

Chair man

Executive Director