

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 July 6, 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 July 13, 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, July 13, 2010

C-4272/
PI-169
1:30 Workshop. Commission Hearing Room, Lincoln. In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate practices related to network reliability and requirements governing notification for service interruptions. Commissioner Jerry Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in June 2010. She reported there were a total of 72 complaints: 45 - wireline and 27 - wireless. The complaints were categorized as follows: 37 billing, 25 service and 10 miscellaneous issues.

Gene Hand informed the Commission that the residential promotion filed by Charter FiberLink that was to be effective on July 12, 2010, was withdrawn.

AD-505 In the Matter of the Application of ADT Security Services, Inc., Boca Raton, Florida, seeking authority to connect an automatic dialing-announcing device in Jacksonville, Florida: 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.

C-4273/
DC-77 In the Matter of the Nebraska Public Service Commission regarding the 2009 Annual Report Filings: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order dismissing in part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4275 In the Matter of the Application of Syniverse Technologies, Inc., Tampa, Florida, seeking approval to withdraw their certificate of authority to provide interexchange services in the State of Nebraska: 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.

C-4279 In the Matter of the Application of NetworkIP, LLC, Longview, Texas, seeking authority to operate as an interexchange carrier of telecommunication services within 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.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the TRS Surcharge Remittance Late-Fee/Administrative Fine Procedure Policy that will become effective October 1, 2010, for remittances due by November 30, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

WC 10-90 In the Matter of Connect America Fund, a National Broadband
GN 09-51 Plan for Our Future, High-Cost Universal Service Support:
WC 05-337 Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to ratify comments filed July 26, 2010 with the Federal Communications Commission. 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 enter orders approving applications C-4274 and C-4278. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4274 In the Matter of the Application of Windstream Nebraska, Inc., Little Rock, Arkansas, seeking approval of an Amendment to the Interconnection Agreement with Nebraska Technology & Telecommunications, Inc., Omaha, previously approved in Docket C-3847.

C-4278 In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of an Interconnection Agreement with Neutral Tandem, Inc., Chicago, Illinois:

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter orders approving applications C-4276 and C-4277. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4276 In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of a Four-Party Transit Traffic Amendment to the Interconnection Agreement with Neutral Tandem, Inc., Chicago, Illinois, previously approved in Docket C-4278.

C-4277 In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of an Originated Toll Free Service Jointly Provided Switched Access ("JPSA") Amendment to the Interconnection Agreement with Neutral Tandem, Inc., Chicago, Illinois, previously approved in Docket C-4278.

Gene Hand provided the Commission with copies of the Notice of Rate Increase that Plainview Telephone Company mailed to its residential customers on July 12, 2010. The required informational meeting will be held August 16, 2010 at 7:00 p.m. in the Plainview Community Building, 302 West Locust Avenue.

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter orders granting applications E-2259 and E-2260. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2259 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.

E-2260 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.

C-3554/
NUSF-50/
PI-112 In the Matter of the Commission, on its own motion, seeking to investigate whether the zones established in Docket C-2516 are appropriate in light of NUSF-26 findings and conclusions. Commissioner Jerry Vap presiding as Hearing Officer: Gene Hand informed the Commission a Hearing Officer Order was entered July 8, 2010, establishing procedural timeliness and scheduling a hearing for September 15, 2010, at 10:00 a.m. in the Commission Hearing Room, Lincoln.

Gene Hand reported the amended and supplemental Broadband Mapping and Planning grant was filed on July 1, 2010, seeking funding for years 3, 4 and 5 of the project. The staff is responding to the National Telecommunications and Information Administration (NTIA) questions.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-010.03 In the Matter of the Commission, on its own motion, seeking to establish the policy regarding required quarterly submissions from wireless carriers: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order amending the quarterly report form. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-020.04/ In the Matter of Sue Vanicek, Director of the Nebraska DC-78 Telephone Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. A C N Communications Services Inc; Aventure Communications Technology LLC; Big River Telephone Company LLC; BLC Management LLC; BT Communications; DSLnet Communications LLC; Entelegent Solutions Inc; Geneva Broadband LLC; Intrado Communications Inc; Kentucky Data Link Inc; Net Talkcom Inc; Northstar Telecom Inc; XO Communications Services Inc, Respondent(s): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint in part. 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 approving funding in dockets 911-042.04, 911-042.14, 911-042.31, 911-042.34, 911-042.38, 911-042.39, 911-042.41 through 911-042.45, 911-042.47 through 911-042.51, 911-042.55 through 911-042.60, 911-042.62 and 911-042.66. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-042.04 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: Knox County.

911-042.14 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: City of Holdrege.

911-042.31 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: Thurston County.

911-042.34 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: Polk County.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.38 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: Washington County.
- 911-042.39 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: Cass County.
- 911-042.41 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: City of Beatrice.
- 911-042.42 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: Furnas County.
- 911-042.43 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: Cedar County.
- 911-042.44 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: Boone County.
- 911-042.45 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: Dundy County.
- 911-042.47 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: Custer County.
- 911-042.48 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: Garden County.
- 911-042.49 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: Douglas County.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.50 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: Chase County.
- 911-042.51 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: Rock County.
- 911-042.55 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: Howard County.
- 911-042.56 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: York County.
- 911-042.57 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: City of Alliance.
- 911-042.58 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: Region 26 Council.
- 911-042.59 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: City of Norfolk.
- 911-042.60 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: Thayer County.
- 911-042.62 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: Colfax County.
- 911-042.66 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: Antelope County.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-042.35 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: Burt County. Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order amending previously approved funding. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE.

911-042.67 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: Pierce County. Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving funding, in part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-042.24 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: Fillmore County. Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for July 27, 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 Rod Johnson appointed as Hearing Officer.

911-044 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for intertandem trunking for the provision of Enhanced Wireless 911 service: Motion made by Commissioner Frank Landis, 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.

NUSF-1, PO #7 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish guidelines for its administration of the Nebraska Universal Service Fund: Granite Telecommunications: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to grant Granite Telecommunications' request for a third extension until August 15, 2010, to complete the NUSF Worksheet audit due December 31, 2009. 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 of the Nebraska
215 Telecommunications Infrastructure and Public Safety Depart-
ment of the Nebraska Public Service Commission, Complain-
ant, v. OneLink Communications, Inc., Respondent: Motion made by Com-
missioner Tim Schram, seconded by Commissioner Rod Johnson, to enter
an order dismissing the complaint. 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 Com-
missioner Anne Boyle, to enter orders approving Petition of Formal
Intervention in dockets NUSF-69.05 and NUSF-69.06. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE.

NUSF-69.05 In the Matter of the Nebraska Public Service Commission, on
its own motion, seeking to implement policies and proce-
dures related to providing dedicated universal service sup-
port for wireless telecommunications services: United
States Cellular Corporation.

NUSF-69.06 In the Matter of the Nebraska Public Service Commission, on
its own motion, seeking to implement policies and proce-
dures related to providing dedicated universal service
support for wireless telecommunications services: NE
Colorado Cellular, Inc. dba Viaero Wireless.

NUSF-50, In the Matter of the Nebraska Public Service Commission, on
PO 3/
C-3554/
PI-112 its own motion, to make adjustments to the universal ser-
vice fund mechanism: This matter was discussed during the
Communication's Department agenda.

NUSF-77 In the Matter of the Petition of the Nebraska Telecommuni-
cations Association for investigation and Review of Pro-
cesses and Procedures regarding the NUSF: Sue Vanicek informed the
Commission that a Hearing Officer's order was entered July 7, 2010
setting a briefing schedule. Briefs responsive to order questions are
due July 23, 2010, with reply briefs due August 3, 2010.

WC 03-109 Federal-State Joint Board on Universal Service Lifeline and
Link-Up: Sue Vanicek discussed the FCC comments due
July 15, 2010, and asked for Commission approval to file comments.
Motion made by Commissioner Frank Landis, seconded by Commissioner
Anne Boyle, to approve comments to be filed. Motion passed with Com-
missioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

WC 10-90 In the Matter of Connect America Fund, a National Broadband
GN 09-51 Plan for our future, High-Cost Universal Service Support:
WC 05-337 This matter was discussed during the Communication's
Department agenda.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter Assessment Orders in Dockets FC-1327, NG-0057, NG-0057.1, NG-0060, and NG-0061. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1327 In the Matter of the Formal Complaint of the Nebraska Public
HS-0034 Advocate, seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC. Commissioner Vap presiding as Hearing officer.

NG-0057 In the Matter of gas supply cost adjustment schedules
GDS-0012 implemented by SourceGas Distribution LLC, Lakewood, Colorado, pursuant to *Neb. Rev. Stat. sec. 66-1854*. Commissioner Vap presiding as Hearing Officer.

NG-0057.1 In the Matter of 2010 gas supply cost adjustment schedules
GDS-001 filed 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-008 Colorado, seeking approval of a general rate increase.
HS-007.2 Commissioner Johnson presiding as Hearing Officer.
HS-008
HS-009
HS-0010
HS-0016

NG-0061 In the Matter of Black Hills/Nebraska Gas Utility Company,
HS-0014 LLC, d/b/a Black Hills Energy, Omaha, seeking a General
HS-0015 Rate Increase for Black Hills Energy's Rate Areas One, Two and Three (Consolidated). Commissioner Frank Landis presiding as Hearing Officer.

NATURAL GAS DEPARTMENT (Cont.)

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 July 7, 2010, by the Hearing Officer extending the deadline for Filing Comments on Advisory Report: Cost of Capital to noon on July 12, 2010, in part and denying the request for preparation of a revenue requirement schedule.

Laura Demman reported a total number of 33 consumer complaints and inquiries received at the Commission during June. For each company: Black Hills - 8; SourceGas - 19; NorthWestern - 2; and Other Entities - 4.

RULES AND REGULATION

Rule and Regulation #161 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 1, Rules of Commission Procedure, to rewrite a substantial portion of the rules; correct technical errors, grammar, punctuation, spelling, sequential numbering and the like; and reprint the chapter in its entirety: Commissioner Frank Landis presiding as Hearing Officer. Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order issuing a Certificate of Adoption for the fifth set of proposed Rules. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1646 Supp 1 In the Matter of Thuc Van Ngo, dba South Sioux Taxi, South Sioux City, seeking to extend the authority of the applicant to transport clients of the Nebraska Department of Health and Human Services. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Mark Breiner informed the Commission that a Hearing Officer's order was entered July 13, 2010 continuing the hearing previously scheduled for July 14, 2010, to a date later to be determined. Commissioner Johnson presiding as Hearing Officer.

B-1746 In the Matter of Lloyd Kaburu Marangu, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage by van in open class service between points in Douglas, Sarpy, and Washington counties. HHS Designation: Yes. RESTRICTION: The Transportation of railroad train crews and their baggage is not authorized. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Boyle presiding as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

B-1752 In the Matter of Custer Care, Broken Bow, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers by van who are clientele of Custer Care and their baggage in open class service between points in Custer, Sherman, Blaine, Log, Valley, Loup, Thomas, and Garfield counties and points within these counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes under contract with the Nebraska Department of Health and Human Services. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. Restricted to the transportation of the clients of Custer Care. HHS Designation: Yes. 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.

B-1763 In the Matter of Safetrip Transportation, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in Douglas, Sarpy, and Washington counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: All trips to originate in Douglas, Sarpy, and Washington counties. The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1765 In the Matter of Red 9, LLC dba Red 9, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in charter and special party service between points in Lancaster, Seward, Saline, Gage, Johnson, Otoe, Cass, Butler, Sarpy, Saunders, Douglas, Dodge, Washington, York and Jefferson. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Frank Landis, 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.

B-1767 In the Matter of RT Investments, LLC, dba Luxury Limousines, Lincoln, seeking to acquire, through transfer, the authority granted to DJW, Inc., dba Luxury Limousine Service, Syracuse, in Certificate B-1554: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application and revoking Certificate B-1554. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1771 In the Matter of Larry Schmidt, dba Your Own Limousine, Kearney, seeking to acquire, through transfer, the authority held by James Leon Dickinson, dba Your Own Limousine Service, Lincoln, in Certificate B-1672: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application and revoking Certificate B-1672. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-14211 In the Matter of Movers, Inc., Omaha, seeking to acquire, through transfer, the authority granted to Movers Not Shakers, LLC, dba Movers Not Shakers, Omaha: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order granting the application and revoking Certificate M-14160. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-368 In the Matter of Red 9, LLC, dba Red 9, Lincoln, seeking authority to set its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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.

BR-369 In the Matter of Papio Transport Service, Omaha, seeking authority to adjust 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.

LR-316 In the Matter of Timeless Transport, LLC, Omaha, 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, 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 decreased to \$.68 per mile and the Tariff 22 to \$3.28 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

PI-172 In the Matter of the Commission, on its own motion, seeking to investigate and establish a policy and application process for the emergency storage of grain. Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order opening the docket, seeking comment and scheduling a hearing for August 17, 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 Vap was appointed as Hearing Officer.

GW-408 In the Matter of The Farmers' Grain and Live Stock Company, Hadar: John Fecht discussed the shortage of corn.

GW-2066 In the Matter of Seven Valleys Grain Company, Callaway: John Fecht discussed the shortage of wheat.

GW-2127 In the Matter of The Scoular Company, Venango: John Fecht discussed the shortage of soybeans.

GW-1503 In the Matter of The Trinidad/Benham Corp. dba The Trinidad Bean & Elevator Company, Denver, CO, seeking a \$100,000.00 deductible on its stock insurance coverage: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the deductible. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Grain Dealer Division

GD-2834 In the Matter of FGDI L.L.C., Bowling Green, OH, seeking cancellation of its Grain Dealer License: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to grant 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 Rod Johnson, 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.

AS Central Services - EAP	\$	720.00
Voyager		1,575.58
Scott Elston		15.82
Scott Elston		114.17
Kent Pribyl		1,070.78
Rod Johnson		1,596.88
Rod Johnson		231.00
Tim Schram		714.00

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

AGN Sales	\$	1,205.65
Alternative Hearing		1,198.50
B Hear Inc.		1,674.60
Glassman's Hearing Aid Service		164.85
Grand Island Hearing		835.00
Carl A. Johnson Jr.		350.30
Carl A. Johnson Jr.		1,050.55
Johnson Hearing Aid Service		158.25
Larry Kent & Associates		2,641.90
League of Human Dignity		973.40
Midwest Hearing Consultants		599.39
Teltex Inc.		1,162.92
Thomas J Tambling		801.09
Weitbrecht Communications		397.50
White's Hearing Aid Specialists		140.27

The following invoices were paid between July 1, and July 13, 2010 and should be ratified:

Donald C.J. Gray	524.53
NARUC - Subscriptions (FY 2011)	1,900.50
NARUC - Membership Assessments(FY 2011)	9,691.00
NE Workforce Development - Unemployment	4,758.00

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Mark Luttich to travel to Wardcraft Homes, Inc., Clay Center, Kansas on July 7, 2010 to perform a modular housing unit factory inspection. 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 the purchase of a personal computer for the Housing Department. 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 Anne Boyle, to approve the Executive Director's recommendation 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 10:52 a.m.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation 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 11:25 a.m.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to ratify the employment of Scott Micek as Grain Warehouse Examiner effective July 12, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 11:27 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 July 27, 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 July 26, 2010.

Chairman

Executive Director