

Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Rod Johnson excused. Chairman Vap invited the public to address the Commission and also announced that a copy of the Nebraska Open Meetings Act was post-ed in the meeting room. No announcements were made.

#### GENERAL ADMINISTRATION

Notice was duly published August 3, 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 August 10, 2010 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in July 2010. She reported there were a total of 53 complaints: 36 - wireline and 17 - wireless. The complaints were categorized as follows: 25 billing, 18 service and 10 miscellaneous issues.

Commissioner Rod Johnson entered the Commission Hearing Room.

AD-510r In the Matter of the Application of DNC Services Corporation, Washington, D.C., seeking authority to register the connection of an automatic dialing-announcing device in Vienna, Virginia: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, 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-4171.1 In the Matter of the Application of IT Communications, LLC, Little Rock, Arkansas, seeking approval of a name change to Windstream IT-Comm, LLC: 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-4284 In the Matter of the Application of Charter Fiberlink - Nebraska, LLC, Alpharetta, Georgia, seeking approval for financing and for authority to do all things required in relation thereto: 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.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4287 In the Matter of the Application of Crexendo Business Solutions, Inc., Phoenix, Arizona, seeking authority to provide resold and facilities-based/UNE local exchange and interexchange telecommunications services within the State of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, 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-4288 In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of a wireline adoption interconnection agreement with MCC Telephony of Iowa, LLC d/b/a Media-com, Middletown, New York: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand reported that presentations relative to the broadband survey results, collected as one of the planning activities carried out under the Broadband Mapping Grant, will be made to five Regional Technology Group meetings in August.

NATURAL GAS DEPARTMENT

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 August 6, 2010, modifying the procedural schedule. The final order regarding the application will be released on or before August 17, 2010.

Laura Demman reported a total number of 20 consumer complaints and inquiries received at the Commission during June. For each company: Black Hills - 6 and SourceGas - 14.

Laura Demman reported a total number of 618 consumer complaints and inquiries received at the Commission during fiscal year 2009-2010. For each company: Black Hills - 95; SourceGas - 473; NorthWestern - 12; and Other Entities - 38.

TRANSPORTATION DEPARTMENT

B-1769 In the Matter of Emerald Limousine, Inc., Crescent, Iowa, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus, statewide, over irregular routes intrastate Nebraska, and trolley, within a 250 mile radius of Omaha, Nebraska, 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, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1773 In the Matter of GF2, Lincoln, seeking to acquire, through transfer, the authority held by DW & JW, Inc., dba Luxury Limousine & Trolley Service, Syracuse, in Certificate B-1712: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application and revoking Certificate B-1712. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-370 In the Matter of Custer Care, Broken Bow, seeking to set its rates and charges: 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.

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 \$.74 per mile and the Tariff 22 fuel surcharge to \$3.88 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter orders in dockets RVF-4, MODF-4, and MANF-3 opening the dockets and scheduling a hearing for September 8, 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 Schram was appointed as Hearing Officer.

RVF-4 In the Matter of the Commission, on its own motion, seeking to determine the fees for the Recreational Vehicle Program.

MODF-4 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Modular Housing Program.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT (Cont.)

MANF-3 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Manufactured Home Program.

GRAIN WAREHOUSE DEPARTMENT

GW-2119 In the Matter of M. G. Waldbaum Company dba Wayne Grain and Feed, Wayne, Nebraska, seeking a measure-up of grain with fees to be paid by licensee: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the request for a measure-up. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, 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.

NASUCA	\$	500.00
Voyager		1,454.87
West		898.54

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM:

AGN Sales	\$	943.85
Alternative Hearing		867.00
Associated Ear Nose and Throat		1,007.48
Glassman's Hearing Aid		199.90
Grand Island Hearing Aid		1,299.50
Hearing Aid Center of Columbus		499.85
Hearing Clinic, Inc.		190.00
Carl A Johnson Junior		1,308.50
Larry Kent and Associates		298.50
Larry Kent and Associates		2,465.15
Midwest Hearing Consultants		762.85
Thomas J Tambling		1,359.97
Teltex, Inc.		971.50
Weitbrecht Communications Inc.		3,560.15
Weitbrecht Communications Inc.		851.90
Western ENT Associates		4,848.65
White's Hearing Aid Specialists		12,737.40

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to purchase 5 Rangefinders for use by Grain Examiners, with cost to be paid from the Moisture Testing Cash Fund. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to change the September 8th Commission Meeting to 9:00 a.m. 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 purchase a computer printer for use in the Communications Department. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve Commission minutes from June, 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 10:30 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 August 17, 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 August 16, 2010.

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Chairman

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Executive Director