

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 posted in the meeting room. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published August 18, 2010 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 24, 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, August 17, 2010

PI-172 Commission Hearing Room, Lincoln. In the Matter of the
1:30 Commission, on its own motion, seeking to investigate and establish a policy and application process for the emergency storage of grain. Commissioner Jerry Vap presiding as Hearing Officer.

Wednesday, August 18, 2010

2:00 Commission Hearing Room, Lincoln.
Automatic Dialing-Announcing Device Seminar

Commissioner Rod Johnson entered the Commission Hearing Room.

COMMUNICATIONS DEPARTMENT

C-4273/ In the Matter of the Nebraska Public Service Commission re-
DC-77 garding the 2009 Annual Report Filings. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Boyle, seconded by Commissioner Schram, to enter an order sustaining the complaint. Motion passed with Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE.

C-4281/ In the Matter of the Commission, on its own motion, seeking
PI-171 to establish methods for the collection and remittance of the Telecommunications Relay System Surcharge by carriers offering prepaid wireless services: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order for Commission staff to develop 2011 legislation regarding remittance by prepaid wireless carriers to the Telecommunications Relay Service Fund. Motion passed with Commissioners Boyle, Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4286 In the Matter of the Joint Petition of LY Holdings, LLC, and Lightyear Network Solutions, LLC, Louisville, Kentucky, seeking approval of the Pro Forma Change in Corporate Structure of Lightyear Network Solutions, LLC: 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.

In the Matter of ANI-based billing for Nebraska Relay CapTel service: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve ANI-based billing for Nebraska Relay CapTel service. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1343 In the Matter of the Formal Complaint of Tom E. Nesbitt, Lincoln, alleging violation of the Automatic Dialing-Announcing Devices Act by Anthony W. Fulton, Lincoln; Tony Fulton Committee, Lincoln, and Communication Strategies, Inc., St. Louis, Missouri. Commissioner Jerry Vap presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's order was entered on August 17, 2010, scheduling a planning conference for August 24, 2010, at 1:30 p.m. in the Niobrara Conference Room.

Gene Hand informed the Commission that staff has been meeting with companies that have submitted address specific data to review results of geocoding customer addresses. He also discussed plans for a workshop in early October that will focus on the revised data template and the timeline for the next update due to be filed April 1, 2011.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-046/
PI-167 In the Matter of the Commission, on its own motion, seeking to investigate costs and options for the statewide maintenance of Geographic Information Systems (GIS) Data necessary for the provision of Enhanced Wireless 911 Service: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for October 5, 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.

911-047/
PI-168 In the Matter of the Commission, on its own motion, seeking to investigate and establish standards and guidelines for Geographic Information System (GIS) Data necessary for the provision of Enhanced Wireless 911 Service: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order scheduling a workshop for November 9, 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-37. In the Matter of Sue Vanicek, Director of Nebraska Tele-
218 communications Infrastructure and Public Safety Department
of the Nebraska Public Service Commission, Complainant v.
Unite Private Networks, LLC, Respondent: Motion made by Commissioner
Anne Boyle, seconded by Commissioner Tim Schram, to enter an order
dismissing the complaint. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-1, In the Matter of the Nebraska Public Service Commission, on
PO #7 its own motion, seeking to establish guidelines for admin-
istration of the Nebraska Universal Service Fund: Cozad
Telephone Company: Motion made by Commissioner Frank Landis, seconded
by Commissioner Tim Schram, to accept the deviation of remittance
audit procedures' language and accept the third-party audit as sub-
mitted. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram and Jerry Vap voting AYE.

WC 02-60 In the Matter of the Rural Health Care Universal Service
Support Mechanism, Petition to Grandfather Rural Health
Care Providers. Motion made by Commissioner Anne Boyle, seconded by
Commissioner Tim Schram, to approve submitting reply comments to the
Federal Communications Commission (FCC) due September 13, 2010. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram and Jerry Vap voting AYE.

Sue Vanicek informed the Commission that the next Enhanced
Wireless 911 Advisory Board Meeting will be held November 8, 2010 at
10:00 a.m. at the Sarpy County Administrative Conference Room, 2nd
Floor, 1210 Golden Gate Drive, Papillion.

NATURAL GAS DEPARTMENT

NG-0061/ In the Matter of Black Hills/Nebraska Gas Utility Company,
HS-0019 LLC, d/b/a Black Hills Energy, Omaha, seeking a General
HS-0020 Rate Increase for Black Hills Energy's Rate Areas One, Two
and Three (Consolidated): Motion made by Commissioner
Frank Landis, seconded by Commissioner Anne Boyle, to enter assessment
orders. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram and Jerry Vap voting AYE.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking
Regulation to amend Title 291, Chapter 9, Natural Gas and Pipeline Rules
#173 and Regulations, to adopt rules regarding General Rate
Filings, Rate Principles, High Volume, Agriculture and
Interruptible Ratepayers; Jurisdictional Utilities; Consumer Choice
Program; Gas Supply Cost Adjustments; Seasonal Disconnections; Tariff
Changes; and the Public Advocate. Commissioner Frank Landis presiding as
Hearing Officer: Nichole Mulcahy informed the Commission that a Hearing

RULES AND REGULATIONS (Cont.)

Officer's order will be entered August 24, 2010 scheduling a hearing for October 4, 2010 at 1:30 p.m. in the Commission Hearing Room, Lincoln and bifurcating the rulemaking.

Rule and Regulation to promulgate Title 291, Chapter 15, Enhanced Wireless 911 #175 Services Rules and Regulations, previously written under Title 291, Chapter 5, Section 005, Telecommunications Rules and Regulations, and to adopt rules in accordance with Nebraska Legislative Bills 516 [2005] and 1222 [2006] and adopt current policy standards: Motion made by Commissioner Landis, seconded by Commissioner Johnson, to enter an order opening the docket, releasing proposed rules with comments due on October 22, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Jerry Vap was appointed as Hearing Officer.

TRANSPORTATION DEPARTMENT

B-1743 In the Matter of T. Blakey Enterprise, LLC, dba Goodwill Medical Transportation, Omaha, seeking to change the ownership holdings of the certificated carrier: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order granting the acquisition of control through stock purchase. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1747 In the Matter of Standfast Transportation, Omaha, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1747 until August 22, 2011: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order granting the suspension until August 22, 2011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1768 In the Matter of Rosa's Plaza, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class service between points in Schuyler and a 100 mile radius of Schuyler over irregular routes: Nichole Mulcahy informed the Commission that a Hearing Officer's Order will be entered August 24, 2010, cancelling the hearing previously scheduled for September 2, 2010.

B-1774 In the Matter of Community Alternatives Nebraska, Inc., Lincoln, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers by bus, van, and WC van, who are clients of Community Alternatives Nebraska, Inc., and their baggage between points in Lincoln city limits, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: Yes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not

TRANSPORTATION DEPARTMENT (Cont.)

authorized. The transportation of Community Alternatives Nebraska clientele only: Motion made by Commissioner Frank Landis, 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.

Rate Division

BR-372 In the Matter of Midwest Special Services, Inc., Curtis, seeking authority to adjust 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.

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 \$.72 per mile and the Tariff 22 fuel surcharge at \$3.76 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 Tim Schram, seconded by Commissioner Anne Boyle, to enter an order adopting a policy. 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.

Birch, Horton, Bittner, Cherot	\$	738.33
Anne Boyle		446.30
Gerald Vap		940.00

Mike Hybl discussed his recommendation to accept an offer of settlement for the total vehicle loss of an agency-owned motor vehicle - a 2007 Ford Freestar van, VIN# 2IMZA51227BA35144, Vehicle #14492.

The meeting adjourned at 10:27 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 August 31, 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 30, 2010.

Chairman

Executive Director