

Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 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. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published October 5, 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 October 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:

Thursday, October 14, 2010

B-1757 Commission Hearing Room, Lincoln. In the Matter of Night
Supp. 2 Life Limousine, LLC, Beatrice, seeking authority as a com-
10:00 mon carrier in Nebraska intrastate commerce in the trans-
portation of passengers by limousine between points in
Polk, Hamilton, Franklin, Butler, Platte, and Lancaster
counties, on the one hand, and, on the other hand, points
in Nebraska over irregular routes. HHS Designation: No.
RESTRICTION: The transportation of railroad train crews and
their baggage is not authorized. Commissioner Frank Landis
presiding as Hearing Officer.

Commissioner Anne Boyle entered the Commission Hearing Room.

COMMUNICATIONS DEPARTMENT

AD-513r In the Matter of the Application of Hudson Bay Company of
Illinois seeking authority to register the connection of an
automatic dialing-announcing device in Lincoln, Nebraska: Motion made
by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to
enter an order granting the application. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

C-4300 In the Matter of the Application of the Glenwood Telephone
Membership Corporation, Blue Hill, seeking authority to
issue securities: Motion made by Commissioner Rod Johnson, seconded
by Commissioner Frank Landis, to enter an order granting the applica-
tion. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand informed the Commission that a Hearing Officer's order was entered October 8, 2010, continuing the hearing from November 18, 2010, to December 8, 2010, at 1:30 p.m. in the Commission Hearing Room and revising the procedural schedule in the following dockets:

- AD-504r In the Matter of the Application of Communication Strategies, Inc., St. Louis, Missouri, seeking authority to register the connection of an automatic dialing-announcing device in Secaucus, New Jersey.
- 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 the second round of broadband data had been submitted to the National Telecommunications and Information Administration (NTIA).

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter orders dismissing Complaints NUSF-37.214, NUSF-37.219 and NUSF-37.226. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

- NUSF-37.214 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant v. Norstan Network Services, Respondent.
- NUSF-37.219 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant v. Nobeltel, LLC, Respondent.
- NUSF-37.226 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant v. CenCom, Inc., Respondent.
- 911-002 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund: Sue Vanicek informed the Commission that a Hearing Officer's Order was entered on October 7, 2010, continuing the hearing from November 23, 2010, to December 6, 2010, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-47/
PI-168 In the Matter of the Commission, on its own motion, seeking to investigate and establish standards and guidelines for Geographic Information Systems (GIS) Data necessary for the provision of Enhanced Wireless 911 Service: Sue Vanicek informed the Commission that a Hearing Officer's Order was entered on October 7, 2010, continuing the workshop from November 9, 2010, to December 8, 2010, at 10:00 a.m. in the Commission Hearing Room, Lincoln.

NATURAL GAS DEPARTMENT

FC-1345 In the Matter of the Formal Complaint of Marilyn M. Reeser, Grand Island v. NorthWestern Energy, Sioux Falls, South Dakota, alleging unfair gas usage charges. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order dismissing the formal complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0063/
PI-173 In the Matter of the Commission, on its own motion, seeking to investigate and refine filing requirements and establish further guidelines for prosecution of general rate applications. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order denying formal intervention and granting informal intervention. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0064 In the Matter of NorthWestern Energy, Sioux Falls, South Dakota, seeking to include certain personnel costs in a future gas cost adjustment: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order scheduling a hearing for December 1, 2010, at 1:30 p.m. in the Commission Hearing Room, Lincoln and entering a notice of assessment. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Rod Johnson was appointed as Hearing Officer.

NG-0046/
PI-128 In the Matter of the Commission, on its own motion, seeking to investigate certain customer service issues and plans relating to SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc., Lakewood, Colorado. Commissioner Vap presiding as Hearing Officer: Laura Demman discussed the order entered by the Hearing Officer on October 7, 2010, setting a workshop for October 26, 2010, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NG-0065 In the Matter of Encore Energy Services, Inc., Omaha, seeking authority for a Competitive Natural Gas Provider Certificate in the state of Nebraska: Laura Demman discussed application filed.

TRANSPORTATION DEPARTMENT

B-1701 In the Matter of Larry's Taxicab, Lexington: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order for revocation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The hearing previously scheduled for October 13, 2010, was cancelled.

B-1704 In the Matter of Taxi Specialties of Lexington, LLC, dba Lexington Taxi, Lexington: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order for suspension until September 27, 2011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-375 In the Matter of Community Alternatives Nebraska, Inc., 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.

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 \$.78 per mile and the Tariff 22 fuel surcharge at \$4.20 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-3 In the Matter of K. W. Carter Company dba J. W. Grain Co., St. Edward: John Fecht discussed the shortage of corn.

GW-2107 In the Matter of Mathiesen Grain Company, Blair: John Fecht discussed the shortage of soybeans.

GW-2122 In the Matter of Carroll Feed & Grain Co., Carroll: John Fecht discussed the shortage of corn.

GW-1766 In the Matter of Grain States Soya, Incorporated, West Point, seeking emergency storage of company owned soybeans: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the request. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

Grain Dealer Division

GD-2775 In the Matter of Red River Commodities, Inc., Fargo, North Dakota, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending September 30, 2011: Motion made by Commissioner Anne Boyle, 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 Tim Schram, 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.

AS Central Services-Copy Service	\$	2,321.07
AS Central Services-OCIO		642.89
Cornhusker State Industries		1,360.90
Data Source Media		542.85
Department of Labor		2,484.00
Voyager		1,900.35
Kent Pribyl		1,100.15

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	1,007.00
Amplified Phone Services		592.31
Associated Hearing Health Care		633.95
B Hear		1,731.95
Beltone		2,013.20
DynaVox Systems, LLC		1,000.00
Glassman's Hearing Aid Service		667.08
Carl A. Johnson Jr.		2,205.10
Professional Hearing Aid Services		1,821.96
Teltex Inc.		1,014.61
U-Save Pharmacy & Medical Supply		358.38
Weitbrecht Communications		1,697.66
White's Hearing Aid Specialists		314.95

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to purchase 2 laptop computers for use by the Grain Warehouse Department. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to accept the special award conditions and supplemental grant awarded by the United States Department of Commerce pursuant to the American Recovery and Reinvestment Act - State Broadband Data and Development Grant Program. 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 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 10:37a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, 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 10:42 a.m.

The meeting adjourned at 10:44 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 October 19, 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 October 18, 2010.

Chairman

Executive Director