

Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners, Frank Landis, Tim Schram and Gerald Vap present and Commissioners Anne Boyle and 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 October 27, 2010 on Page 10 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held November 3, 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 October 2010. She reported there were a total of 67 complaints: 32 - wireline and 35 - wireless. The complaints were categorized as follows: 32 billing, 28 service and 7 miscellaneous issues.

C-4302 In the Matter of the Application of Cellco Partnership d/b/a Verizon Wireless, Lewisville, Texas, and its subsidiaries and affiliates to amend eligible telecommunications carrier designation in the State of Nebraska: Gene Hand informed the Commission that a Hearing Officer's order was entered November 1, 2010, scheduling a planning conference for November 10, 2010, at 1:00 p.m. in the Niobrara Conference Room, Lincoln.

Gene Hand discussed the Broadband Mapping/Planning Grant.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-033.12 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Working Assets Funding Service, Inc., Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

Commissioner Rod Johnson entered the Commission Hearing Room.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

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 Tim Schram, seconded by Commissioner Frank Landis, to enter an order adopting findings and closing the docket. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, Commissioner Rod Johnson present not voting, and Commissioner Anne Boyle excused not voting.

NUSF-1,
P.O. #7 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Consolidated Long Distance, Inc.; Consolidated Telco, Inc.; Consolidated Inc., Consolidated Telephone Company: Sue Vanicek discussed the deviation of remittance audit procedures' language, seeking Commission approval to accept Agreed Upon Procedures as presented. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to accept the Agreed Upon Procedures as presented. 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 Tim Schram, seconded by Commissioner Rod Johnson, to enter orders dismissing Complaints NUSF-37.220, NUSF-37.222 and NUSF-37.225. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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

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

NUSF-37.
225 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission., Complainant v. NE Colorado Cellular, Inc., d/b/a Viaero, Respondent.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter orders NUSF-69.05 through NUSF-69.07 granting them in part. 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-69. In the Matter of the Nebraska Public Service Commission, on
05 its own Motion, seeking to implement policies and procedures
related to providing dedicated universal service support for
wireless telecommunications services: United States Cellular
Corporation.

NUSF-69. In the Matter of the Nebraska Public Service Commission, on
06 its own Motion, seeking to implement policies and procedures
related to providing dedicated universal service support for
wireless telecommunications services: N.E. Colorado
Cellular, Inc., d/b/a Viaero Wireless.

NUSF-69. In the Matter of the Nebraska Public Service Commission, on
07 its own Motion, seeking to implement policies and procedures
related to providing dedicated universal service support for
wireless telecommunications services: Petition received
June 1, 2010, from Long Lines Wireless, LLC.

Commissioner Anne Boyle entered the Commission Hearing Room.

NUSF-77 In the Matter of the Petition of the Nebraska Telecommunica-
P.O. #1 tions Association for Investigation and Review of Processes
and Procedures Regarding the NUSF: Motion made by Commis-
sioner Frank Landis, seconded by Commissioner Tim Schram, to enter a
progression order adopting findings on the Commission's authority to
support broadband services and to seek further comments. Motion passed
with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remit-
tances: Motion made by Commissioner Tim Schram, seconded by Commis-
sioner Frank Landis, that a late-fee levied by the Commission against
MCI Communication on October 26, 2010, be waived. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

FC-1344 In the Matter of the Formal Complaint of U.S. Chicory, Inc.,
Scottsbluff, v. SourceGas Distribution LLC, Lakewood,
Colorado, alleging inaccurate billing. Commissioner Jerry Vap presiding
as Hearing Officer: Motion made by Commissioner Anne Boyle, 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.

NATURAL GAS DEPARTMENT (Cont.)

NG-0013/ In the Matter of the Commission, on its own motion, seeking P.O. #29 to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act [LB 790, 2003]. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter Progression Order 29. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Laura Demman reported a total number of 10 consumer complaints and inquiries received at the Commission during October. For each company: Black Hills - 2; SourceGas - 4; NorthWestern - 0; and Other Entities - 4.

TRANSPORTATION DEPARTMENT

B-1757 In the Matter of Night Life Limousine, Beatrice: Mark Supp. 2 Breiner advised the Commission that a Hearing Officer's order was entered November 3, 2010 extending the due date for briefs from the parties to December 3, 2010.

B-1770 In the Matter of Midwest Medical Transport Co., dba Platte County Ambulance, Columbus: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

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-2174 In the Matter of John A. Fecht, Director Warehouse Department, Nebraska Public Service Commission, Complainant, v. GWC-426 Pender Grain Elevator, Inc., Pender, Respondent: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter a Complaint, Order to Show Cause and schedule a hearing for January 12, 2011 at 1:30 p.m., in the Commission Hearing Room, Lincoln. Commissioner Tim Schram was appointed as Hearing Officer. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, 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.

Nebraska Relay Service	\$55,531.81
Kent Pribyl	838.55
Anne Boyle	480.00
Tim Schram	519.50

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to enter into closed session to discuss personnel. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission entered into closed session at 10:20 a.m.

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 10:38 a.m.

The meeting adjourned at 10:40 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 November 9, 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 November 8, 2010.

Chairman

Executive Director