

Chairman Tim Schram 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 Schram 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 February 24, 2011 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held March 1, 2011 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, March 1, 2011

B-1584 Commission Hearing Room, Lincoln.
1:30 In the Matter of Robert Bass, dba Choice Medical Transportation, LaVista. Commissioner Tim Schram presiding as Hearing Officer.

Monday, March, 7, 2011

NG-0060 Niobrara Conference Room, Lincoln. Technical Conference.
1:30 In the Matter of SourceGas Distribution LLC, Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Rod Johnson presiding as Hearing Officer

Commissioner Rod Johnson entered the Commission Hearing Room.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in February 2011. She reported there were a total of 45 complaints: 28 - wireline and 17 - wireless. The complaints were categorized as follows: 20 billing, 19 service and 6 miscellaneous issues.

AD-518r In the Matter of the Application of Strategic Consulting Group, Chicago, Illinois, seeking authority to register the connection of an automatic dialing-announcing device in Boca Raton, Florida: Motion made by Commissioner Rod Johnson, 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.

COMMUNICATIONS DEPARTMENT (Cont.)

FC-1348 In the Matter of the Application of the Formal Complaint of AT&T Communications of the Midwest, Inc., Denver, Colorado, v. Arapahoe Telephone Company, Arapahoe; et. Al, alleging unfair and unreasonable intrastate switched access rates and inefficient network architecture. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, 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.

Gene Hand informed the Commission that a Hearing Officer order was entered in Dockets FC-1346 through FC-1349 on February 22, 2011, continuing the oral arguments on legal threshold issue previously scheduled for February 23, 2011 to a date to be determined later.

FC-1346 In the Matter of the Formal Complaint of Great Plains Communications, Inc. and Great Plains Broadband, Inc., Blair, v. Sprint Communications Company, L.P., Overland Park, Kansas, alleging failure to pay for intrastate switched access services. Commissioner Frank Landis presiding as Hearing Officer.

FC-1347 In the Matter of the Formal Complaint of Sprint Communications Company, L.P., Overland Park, Kansas, v. Great Plains Communications, Inc. and Great Plains Broadband, Inc., Blair, alleging unfair and unreasonable intrastate switched access rates and inefficient network architecture. Commissioner Frank Landis presiding as Hearing Officer.

FC-1348 In the Matter of the Formal Complaint of AT&T Communications of the Midwest, Inc., Denver, Colorado, v. Arapahoe Telephone Company, Arapahoe; Benkelman Telephone Company, Inc., Benkelman; Cambridge Telephone Company, Cambridge; Cozad Telephone Company, Cozad; Diller Telephone Company, Diller; Eastern Nebraska Telephone Company, Blair; Great Plains Communications, Inc., Blair; Hartington Telecommunications Company, Inc., Hartington; Hartman Telephone Exchanges, Inc., Benkelman; Henderson Cooperative Telephone Company, Henderson; Hershey Cooperative Telephone Company, Hershey; Hooper Telephone Company, Hooper; Northeast Nebraska Telephone Company, Jackson; Rock County Telephone Company, Blair; Southeast Nebraska Communications, Inc., Falls City; Three River Telco, Lynch; and Wauneta Telephone Company, Benkelman; alleging unfair and unreasonable intrastate switched access rates and inefficient network architecture. Commissioner Frank Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT (Cont.)

FC-1349 In the Matter of the Formal Complaint of Sprint Communications Company LP, Overland Park, Kansas, v. Arapahoe Telephone Company, Arapahoe; Benkelman Telephone Company, Inc., Benkelman; Cambridge Telephone Company, Cambridge; Cozad Telephone Company, Cozad; Diller Telephone Company, Diller; Hartman Telephone Exchanges, Inc., Benkelman; Henderson Cooperative Telephone Company, Henderson; Hershey Cooperative Telephone Company, Hershey; Southeast Nebraska Communications, Inc., Falls City and Wauneta Telephone Company, Benkelman; alleging unfair and unreasonable intrastate switched access rates and inefficient network architecture.

FC-1349 In the Matter of the Formal Complaint of Sprint Communications Company LP, Overland Park, Kansas, v. Arapahoe Telephone Company, Arapahoe; Benkelman Telephone Company, Inc., Benkelman; Cambridge Telephone Company, Cambridge; Cozad Telephone Company, Cozad; Diller Telephone Company, Diller; Hartman Telephone Exchanges, Inc., Benkelman; Henderson Cooperative Telephone Company, Henderson; Hershey Cooperative Telephone Company, Hershey; Southeast Nebraska Communications, Inc., Falls City and Wauneta Telephone Company, Benkelman; alleging unfair and unreasonable intrastate switched access rates and inefficient network architecture: Gene Hand informed the Commission that a Hearing Officer order was entered on February 24, 2011, moving the answer date to March 8, 2011.

Gene Hand reported on recent activities with the planning team in preparation for the broadband forum being held between March 23 and April 28, 2011.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

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 Systems (GIS) Data necessary for the provision of Enhanced Wireless 911 Service: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order proposing standards and guidelines and scheduling a hearing for April 5, 2011 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.

NUSF-32.10 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of Gold Lines Telemanagement to comply with Commission Rules or Orders and to impose administrative fines: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter a Show Cause Order and scheduling a hearing for March 29, 2011 at 11:00 a.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 was appointed as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter orders in Dockets NUSF-37.208, NUSF-37.223 and NUSF-37.239 dismissing the complaints. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
208 Telecommunications Infrastructure and Public Safety
Department of the Nebraska Public Service Commission,
Complainant, v. United Telephone Company of the West d/b/a
CenturyLink:

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
223 Telecommunications Infrastructure and Public Safety
Department of the Nebraska Public Service Commission,
Complainant, v. Embarq Communications, Inc., n/k/a
CenturyLink:

NSUF-37. In the Matter of Sue Vanicek, Director of the Nebraska
239 Telecommunications Infrastructure and Public Safety
Department of the Nebraska Public Service Commission,
Complainant, v. Nobeltel, LLC, Respondent:

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to levy a late-fee against XO Communications Services. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

FC-1357 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: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve a waiver of the filing fee for a formal complaint. If a Statement of Satisfaction is not filed, the answer date for NorthWestern Energy will be March 21, 2011. 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.

Nichole Mulcahy reported a total number of 8 consumer complaints and inquiries received during February. For each company: Black Hills - 1; SourceGas - 4; NorthWestern - 1; and Other Entities - 2.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1698 In the Matter of Groetken Company of Iowa, dba Prince and Princess Limousine, Sioux City, Iowa, seeking to remove the restriction of luxury sedan limousine only: Motion made by Commissioner Jerry Vap, 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.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter orders revoking Certificates B-1735 and B-1736. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1735 In the Matter of Alvin D. Kramer (limo), Beemer:

B-1736 In the Matter of Alvin D. Kramer (open), Beemer:

M-13388 In the Matter of Able Professional Movers, Inc., Omaha, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application M-13388 until March 1, 2012: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order granting the suspension until March 1, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-377 In the Matter of Transport Plus, Inc., Lincoln, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, 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 increased to \$1.02 per mile and Tariff 22 to \$6.64 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich provided an update on the financial and workload status of the department.

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.

GENERAL ADMINISTRATION (Cont.)

AS Central Services - Network	\$	3,062.52
Sue Vanicek		1,603.88
Rod Johnson		1,071.00
Tim Schram		522.24
Gerald Vap		719.10

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 10:34 a.m.

Motion made by Commissioner Jerry Vap, 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 11:05 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 March 8, 2011, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 7, 2011.

Chairman

Executive Director