

Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. 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 April 26, 2011 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 3, 2011 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Wednesday, May 4, 2011

911-019/ Commission Hearing Room, Lincoln.  
PI-118 In the Matter of the Nebraska Public Service Commission, on  
10:00 its own motion, seeking to implement provisions of LB 1222  
[2006] and to establish a permanent funding mechanism for  
wireless enhanced 911 service. Commissioner Jerry Vap  
presiding as Hearing Officer.

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in April 2011. She reported that there were a total of 55 complaints: 36 - wireline and 19 - wireless. The complaints were categorized as follows: 12 billing, 29 service and 14 miscellaneous issues.

C-4335 In the Matter of Huntel Inc. d/b/a American Broadband  
Nebraska Communications, Inc., Blair, local rate increase:  
Gene Hand informed the Commission that an insufficient number of  
petitions were received to initiate a review of the proposed rate  
increase; therefore, a letter was sent May 2, 2011 advising the  
company they can implement the rate increase as proposed.

C-4302 In the Matter of the Application of Cellco Partnership  
d/b/a Verizon Wireless, Lewisville, Texas, and its subsidi-  
aries and affiliates to amend eligible telecommunications carrier  
designation in the State of Nebraska. Commissioner Frank Landis  
presiding as Hearing Officer: Gene Hand informed the Commission that  
a Hearing Officer order was issued April 28, 2011, scheduling an oral  
argument for May 4, 2011, at 10:00 a.m. in the Niobrara Conference  
Room, Lincoln on Motions to Compel, to limit participation and to  
strike testimony. A call-in number is available (402)472-6295.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand reported on the State Broadband Data and Development (SBDD) Grantee workshop held April 28 and 29, 2011.

Gene Hand shared information regarding the May 18, 2011 Federal Communications Commission (FCC) Field Workshop to be held at the Thompson Center, University of Nebraska-Omaha, 6705 Dodge Street, Omaha. The workshop will focus on the appropriate roles and balance of responsibilities between the states and the FCC with respect to universal service and intercarrier compensation in a broadband world.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-002 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for August 23, 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. Commissioner Jerry Vap was appointed as Hearing Officer.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska  
206 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Ztar Mobile, Inc., Respondent(s): Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order sustaining the Complaint and assessing penalties. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1749 In the Matter of The Party Zone, LLC, dba Party Zone Limos.com, Omaha: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order dismissing the suspension of Certificate B-1749. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-387 In the Matter of Champion Homes of Hastings, LLC, Hastings: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application as amended on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

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 \$1.20 per mile, and the Tariff 22 fuel surcharge at \$8.36 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich updated the Commission on the financial status of the department.

Mark Luttich recommended that Mr. Monte Glaser, Mr. Dave Queen and Mr. Ron Laucomer be appointed to the Recreational Vehicle Ad Hoc Committee. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the recommendations. 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 Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AS Central Services-Network Services	\$	3,160.93
Anne Boyle		926.67
Tim Schram		658.92

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Scott Elston to travel to and attend the Federal Railroad Administration (FRA) MP&E Recurrency 2010 Class to be held in San Antonio, Texas, from June 27-July 1, 2011 with all expenses to be paid by the FRA. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Mark Breiner to travel to and attend the 2011 National Conference of State Transportation Specialists Annual Conference to be held in Park City, Utah from June 12-17, 2011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:25 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 May 10, 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 May 9, 2011.

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Chairman

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Executive Director