

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 July 21, 2011 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held July 26, 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, July 26, 2011:

911-042.41 Commission Hearing Room, Lincoln.

1:30 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 Service: City of Beatrice. Commissioner Frank Landis presiding as Hearing Officer.

Wednesday, July 27, 2011:

911-019/ Commission Hearing Room, Lincoln. Workshop

PI-118 In the Matter of the Nebraska Public Service Commission, on its own motion, 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

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter orders granting applications AD-521r, AD-522r, and AD-523r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

AD-521r In the Matter of the Application of Campaign Marketing Strategies, Inc., Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Chicago, Illinois.

AD-522r In the Matter of the Application of Campaign Marketing Strategies, Inc., Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in New York, New York.

COMMUNICATIONS DEPARTMENT (Cont.)

Ad-523r In the Matter of the Application of Campaign Marketing Strategies, Inc., Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Los Angeles, California.

C-4339 In the Matter of the Application of Level 3 Communications, Inc., Bloomfield, Colorado; Global Crossing North America, Inc. and Global Crossing Telecommunications, Inc., Rochester, New York, seeking transfer of control of Global Crossing North America, Inc. to Level 3 Communications, Inc: Motion made by Commissioner Anne Boyle, 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.

C-4365 In the Matter of the Joint Application of Value-Added Communications, Inc., Plano, Texas, and Global Tel*Link Corporation, Mobile, Alabama, seeking authority to transfer control and assets of Value-Added Communications, Inc. to Global Tel*Link Corporation: Motion made by Commissioner Jerry Vap, 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.

C-4366 In the Matter of the Application of Global Tel*Link Corporation and Public Communications Services, Inc., Mobile, Alabama, seeking approval to issue debt and other related financing transactions: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

C-4370 In the Matter of the Application of U.S. Telecom Long Distance, Inc., Gig Harbor, Washington, seeking approval of the transfer of certain long distance business customers from Consumer Telcom, Inc., Portland, Oregon, to U.S. Telecom Long Distance, Inc: Motion made by Commissioner Anne Boyle, 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 Frank Landis, seconded by Commissioner Rod Johnson, to enter orders approving applications C-4368 and C-4369. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

C-4368 In the Matter of the Application of Windstream Nebraska, Inc., Little Rock, Arkansas, seeking approval of amendment to the interconnection agreement with AT&T Communications of the Midwest, Inc., Bedminster, New Jersey, previously approved in Docket C-4202.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4369 In the Matter of the Application of Qwest Corporation, Vancouver, Washington, and Broadvox-CLEC, LLC, Cleveland, Ohio, jointly seeking approval of their interconnection agreement pursuant to 47 U.S.C. Section 252(i).

Gene Hand informed the Commission that a Hearing Officer order was entered July 19, 2011 in FC-1332 and FC-1335 scheduling a planning conference for August 25, 2011, at 10:00 a.m. in the Niobrara Conference Room, Lincoln. Commissioner Tim Schram presiding as Hearing Officer.

FC-1332 In the Matter of the Formal Complaint of Orbitcom, Inc., Sioux Falls, South Dakota, seeking a determination that AT&T Communications of the Midwest, Inc., Denver, Colorado, failed to pay intrastate access charges billed by Orbitcom in accordance with Orbitcom's intrastate switched access tariff.

FC-1335 In the Matter of the Formal Complaint of AT&T Communications of the Midwest, Inc., Denver, Colorado, seeking a determination that OrbitCom, Inc., Sioux Falls, South Dakota, failed to negotiate intrastate access charges and that OrbitCom's tariffed intrastate switched access rates are unfair and unreasonable.

C-4302 In the Matter of the Application of Cellco Partnership and its Subsidiaries and Affiliates to amend eligible telecommunication carrier designation in the State of Nebraska: Gene Hand informed the Commission that a Hearing Officer order was entered July 20, 2011 scheduling a planning conference for July 29, 2011, at 10:30 a.m. in the Niobrara Conference Room, Lincoln.

Gene Hand announced that an informational meeting/workshop sponsored by the Communications Department regarding the implementation of the online business tariff option pursuant to LB 257 will be held on August 18, 2011, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Letters regarding the workshop were sent out on July 19, 2011 and information on the workshop is posted on the Commission's website.

Gene Hand reported that staff participated in the National Telecommunications and Information Administration (NTIA) webinar on July 18, 2011 and are finalizing the timeline for fourth (4th) round data collection due to the NTIA by October 1, 2011.

Gene Hand reported on resolutions passed and information shared at the National Association of Regulatory Utility Commissioners (NARUC) Summer Committee Meetings held in Los Angeles, California, from July 16-20, 2011.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-010 In the Matter of the Commission, on its own motion, seeking to establish the policy regarding required quarterly sub-missions from wireless carriers: Sue Vanicek discussed Sprint's extension request to submit quarterly reports. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to grant Sprint's request. 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 enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NUSF- In the Matter of Sue Vanicek, Director of the Nebraska
37.241 Telecommunications Infrastructure and Public Safety
Department of the Nebraska Public Service Commission,
Complainant, v. DelTel, Inc., Respondent(s):

NUSF- In the Matter of Sue Vanicek, Director of the Nebraska
37.249 Telecommunications Infrastructure and Public Safety
Department of the Nebraska Public Service Commission,
Complainant, v. Lightyear Network Solutions, LLC,
Respondent(s).

NUSF- In the Matter of Sue Vanicek, Director of the Nebraska
37.251 Telecommunications Infrastructure and Public Safety
Department of the Nebraska Public Service Commission,
Complainant, v. Silv Communications, Inc., Respondent(s).

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

NATURAL GAS DEPARTMENT

NG-0013 In the Matter of the Commission, on its own motion, 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 Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter Progression Order 32. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

NG-0060 In the Matter of SourceGas Distribution LLC, Lakewood,
HS-0027 Colorado, seeking approval of a general rate increase.
Commissioner Rod Johnson presiding as Hearing Officer.
Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod
Johnson, to enter an Assessment Order. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

NG-0066 In the Matter of gas supply cost adjustment schedules
HS-002 implemented by Black Hills/ Nebraska Gas Utility Company,
LLC, d/b/a Black Hills Energy, Omaha, pursuant to *Neb. Rev.*
Stat. sec. 66-1854. Commissioner Frank Landis presiding as Hearing
Officer. Motion made by Commissioner Frank Landis, seconded by Commis-
sioner Jerry Vap, to enter an Assessment Orders. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE.

RULES AND REGULATION

Rule and In the Matter of the Commission, on its own motion seeking
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 Legis-
lative Bills 516 [2005] and 1222 [2006] and adopt current policy
standards. Commissioner Jerry Vap presiding as Hearing Officer: The
Commission was informed that the rules were signed by the Governor on
July 11 and became effective July 16, 2011.

Rule and In the Matter of the Commission, on its own motion, seeking
Regulation to amend Title 291, Chapter 5, Telecommunications Rules and
#176 Regulations, to adopt rules in accordance with Nebraska
Legislative Bill 181 [2010]. Commissioner Tim Schram pre-
siding as Hearing Officer: Motion made by Commissioner Frank Landis,
seconded by Commissioner Rod Johnson, to enter an order issuing a
Certificate of Adoption for the third set of proposed rules. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram, and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1786 In the Matter of NIETO, LLC, Valentine, seeking authority
as a common carrier in Nebraska intrastate commerce in the
transportation of passengers and their baggage by limousine between
points in Sheridan, Dawes, and Cherry counties, and between points
within said counties, on the one hand, and, on the other hand, points
in Nebraska over irregular routes. RESTRICTION: The transportation of
railroad train crews and their baggage is not authorized. HHS Desig-
nation: No.

TRANSPORTATION DEPARTMENT (Cont.)

B-1786 Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an Order to Show Cause and schedule a hearing for August 16, 2011, at 2:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Jerry Vap was appointed as Hearing Officer: Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

B-1789 In the Matter of Safe Knights, Inc., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus, van, and SUV/Truck for impaired passengers and further will provide a service to drive their car home between points in Douglas, Sarpy, Washington, Cass & Lancaster counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to schedule a hearing for August 17, 2011, at 10:00 a.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.

B-1796 In the Matter of Kerry Meyer, Aurora, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in charter and special party between points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an Order to Show Cause and schedule a hearing for August 16, 2011, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Rod Johnson was appointed as Hearing Officer: Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Rate Division

LR-323 In the Matter of Leisure Limousine & Sedan Service, Inc., Lincoln, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, 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.

TR-178 In the Matter of Norfolk Cab, Norfolk, seeking authority to adjust its rates and charges: 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.

TRANSPORTATION DEPARTMENT (Cont.)

TR-185 In the Matter of Servant Cab, Lincoln, seeking authority to adjust its rates and charges: 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.

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 \$1.12 per mile and the Tariff 22 fuel surcharge to \$7.92 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to cancel grain warehouse licenses GW-1503 and GW-1944. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

GW-1503 In the Matter of Trinidad Benham Corporation, Bayard, Nebraska seeking cancellation of their warehouse license.

GW-1944 In the Matter of Trinidad Benham Corporation, Imperial, Nebraska seeking cancellation of their warehouse license.

GW-2160 In the Matter of United Farmers Cooperative, York, seeking to increase it's deductible to \$25,000 on its stock insurance: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to grant the increase in stock insurance deductible to \$25,000. 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 Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Attorney General	\$	2,722.00
AS-Central Services-SOS 6/20-7/3/11		930.02
Apex		75,223.00
Dell		1,033.00
Holiday Inn Express		693.00
Mark Breiner		661.67
Donald Gray		749.44
Anne Boyle		1,666.03
Gerald Vap		1,510.18

GENERAL ADMINISTRATION (Cont.)

The following invoices were paid between July 12 and July 25, 2011 and should be ratified:

AS-Central Services-IM Services	\$	650.72
AS-Materiel-Copy Services		3,454.76
AS-Materiel-Envelopes		541.74
AS-State Accounting-Accounting Assessment FY 11-12		13,023.00
The Daily Record		571.00
NARUC 2012 Membership		9,691.00
NARUC 2012 Subscription		1,900.50
NRRI FY 12 Assessment		5,000.00
West		980.46

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM FY 11-12

Associated Hearing Health Care	\$	851.25
Beltone		411.85
Grand Island Hearing Aid Center		1,111.00
Carl A. Johnson		72.39
Professional Hearing Aid Service		243.84
Sherard Hearing Aid Center		234.85
Teltex Inc.		180.95

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM FY 10-11

AGN Sales	\$	312.85
Alternative Hearing		280.00
Associated Ear Nose & Throat		475.75
B Hear		2,790.64
Beltone		3,114.67
Grand Island Hearing Aid		369.50
Harris Communications		776.70
Hearing Aid Center of Columbus		139.95
Carl A. Johnson Jr.		856.57
League of Human Dignity		240.85
Professional Hearing Aid Services		211.15
Sherard Hearing Aid Center		788.35
Sprint Communications		349.98
Teltex Inc.		2,513.27
U-Save Pharmacy & Medical Supply		263.90
Weitbrecht Communications	\$	6,894.86
Western ENT Associates		179.95
Whites Hearing Aid Specialists		114.99

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve Commission minutes for June 2011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Kent Pribyl to travel to Wardcraft Homes, Inc., Clay Center, Kansas on July 25, 2011 to perform a modular housing unit factory inspection with all expenses, including time, to be reimbursed to the Commission by Wardcraft Homes, Inc. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to authorize Scott Elston to travel to and attend the Federal Railroad Administration (FRA) Regional Conference to be held in Escelsior Springs, Missouri, from August 21-26, 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 Commissioner Anne Boyle to travel to and attend the Montana Telecommunications Association (MTA) Annual Meeting to be held in Billings, Montana, from August 1-3, 2011 with airfare, hotel, and auto rental to be paid by the MTA. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to authorize Mark Luttich to travel to and attend the Federal Manufactured Home Consensus Committee meeting to be held in Alexandria, Virginia, from October 17-20, 2011 with all expenses to be paid by the National Fire Protection Association. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Mike Hybl and John Burvainis reviewed the 2010-2011 fiscal year General Fund and cash fund appropriations and actual expenditures.

The meeting adjourned at 11:59 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 2, 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 August 1, 2011.

Chairman

Executive Director