

Chairman Tim Schram 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 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 31, 2011 on Page XX of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 2, 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, August 2, 2011

Rule and Commission Hearing Room, Lincoln.
Regulation In the Matter of the Commission, on its own motion, seeking
#181 to amend Title 291, Chapter 5, Telecommunications Rules and
1:30 Regulations, to adopt rules in accordance with Nebraska
Legislative Bill 723 [2010]. Commissioner Tim Schram
presiding as Hearing Officer.

Wednesday, August 3, 2011

GD-2942/ Commission Hearing Room, Lincoln.
GDC-429 In the Matter of John A. Fecht, Director Warehouse Depart-
10:00 ment, Nebraska Public Service Commission, Complainant v.
Mosher's Organic Grain Co., L.L.C., Bushnell, Nebraska,
Respondent. Commissioner Jerry Vap presiding as Hearing
Officer.

Monday, August 8, 2011

NUSF-77, Commission Hearing Room, Lincoln.
P.O.#3 In the Matter of the Petition of the Nebraska Telecommuni-
9:30 cations Association for investigation and review of pro-
cesses and procedures regarding the NUSF. Commissioner
Frank Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Roger Hahn informed the Commission that he was retiring as Executive Director of Nebraska Information Network (NIN) and introduced Dave Hahn who assumed his position on August 1, 2011.

COMMUNICATIONS DEPARTMENT (Cont.)

Cheryl Elton informed the Commission of complaints received in July 2011. She reported there were a total of 41 complaints: 23 - wireline and 18 - wireless. The complaints were categorized as follows: 14 billing, 19 service and 8 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. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the request to withdraw the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-4372 In the Matter of the Application of CenturyLink, Inc., on behalf of Qwest Corporation and Qwest Communications Company LLC, Monroe, Louisiana, seeking approval of a name change from Qwest Corporation and Qwest Communications Company LLC to CenturyLink QC and CenturyLink QCC respectively: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the application. 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 Jerry Vap, seconded by Commissioner Frank Landis, to enter orders approving applications C-4371 through C-4387. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-4371 In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of Amendment to the interconnection agreement with XO Communications Services, Inc., Salt Lake City, Utah, previously approved in Docket C-3939.

C-4373 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with K&M Telephone Company, Chambers, previously approved in Docket C-3174.

C-4374 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Northeast Nebraska Telephone Company, Jackson, previously approved in Docket C-3169.

COMMUNICATIONS DEPARTMENT (Cont.)

- C-4375 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Eastern Nebraska Telephone Company, Blair, previously approved in Docket C-3198.
- C-4376 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Arlington Telephone Company, Blair, previously approved in Docket C-3197.
- C-4377 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the wireless interconnection and reciprocal compensation agreement with Rock County Telephone Company, Blair, previously approved in Docket C-3199.
- C-4378 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the wireless interconnection and reciprocal compensation agreement with Hershey Cooperative Telephone Company, Hershey, previously approved in Docket C-3167.
- C-4379 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Hamilton Telecommunications, Aurora, previously approved in Docket C-3178.
- C-4380 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Clarks Telecommunications Company, Jackson, previously approved in Docket C-3165.
- C-4381 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Hartington Telecommunications Company, Hartington, previously approved in Docket C-3166.
- C-4382 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Stanton Telecom Inc., Stanton, previously approved in Docket C-3170.

COMMUNICATIONS DEPARTMENT (Cont.)

- C-4383 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Three River Telco, Lynch, previously approved in Docket C-3171.
- C-4384 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Blair Telephone Company, Blair, previously approved in Docket C-3196.
- C-4385 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Consolidated Telephone Company, Lincoln, previously approved in Docket C-3193.
- C-4386 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Consolidated Telecom, Inc., Lincoln, previously approved in Docket C-3194:
- C-4387 In the Matter of the Application of Alltel Communications, Inc., Alpharetta, Georgia, seeking approval of Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Consolidated Telco, Inc., Lincoln, previously approved in Docket C-3195:
- C-4328/
PI-176 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate issues related to the service quality associated with intrastate interexchange service including the origination, termination, and routing of interexchange calls. Commissioner Frank Landis presiding as Hearing Officer: Gene Hand informed the Commission that two Hearing Officer orders were entered, the first one on July 29, 2011, extending the deadline for responses to a data request for Silv Communications, Inc. and the second one on August 1, 2011, extending the deadline for responses to a data request for Level 3 Communications, LLC both until August 5, 2011.

Gene Hand reported that fourth round broadband data is being received from providers and the staff is working on updates to the Data Input Model (DIM) that will assist providers in determining if their data meets submission requirements.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand provided brochures distributed by Comcast at the National Association of Regulatory Utility Commissioners (NARUC) Summer Meetings announcing a program aimed at improving broadband adoption in households with children who receive free lunches thru the National School Lunch Program.

Gene Hand discussed the America's Broadband Connectivity proposal filed by six carriers on July 29, 2011, with the Federal Communications Commission (FCC).

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-051/
PI-177 In the Matter of the Commission, on its own motion, seeking to investigate payments from the Enhanced Wireless 911 Fund for certain contracts for Geographical Information Systems (GIS) data services: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order determining eligibility for funding. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

911-052/
PI-178 In the Matter of the Commission, on its own motion, seeking to investigate and establish policies for the advance of Enhanced Wireless 911 Funds to PSAPs for purchases of equipment and software: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order adopting the policy. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

911-042.06 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 Grand Island: Sue Vanicek discussed the Hearing Officer's Order entered July 18, 2011 scheduling a funding request hearing for August 23, 2011 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

C-1628/
NUSF In the Matter of the Commission, on its own motion, seeking to conduct an investigation into intrastate access charge reform and intrastate universal service fund: Sue Vanicek discussed the NUSF-EARN Form Election Policy. Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Department's policy of six years between a carrier's request to change it's filing elections. 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.)

C-1628/ In the Matter of the Commission, on its own motion, seeking
NUSF/ to conduct an investigation into intrastate access charge
P.O. 32 reform and intrastate universal service fund: Motion made
by Commissioner Frank Landis, seconded by Commissioner
Jerry Vap, to enter an order approving American Broadband's request to
change their election for the 2010 NUSF-EARN Form. Motion passed with
Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap
voting AYE, and Commissioner Anne Boyle excused not voting.

NUSF- In the Matter of Sue Vanicek, Director of the Nebraska
37.250 Telecommunications Infrastructure and Public Safety Depart-
ment of the Nebraska Public Service Commission, Complain-
ant, v. NetOne International, Inc., Respondent: Motion made by Com-
missioner Jerry Vap, seconded by Commissioner Frank Landis, to enter
an order to dismiss the complaint. Motion passed with Commissioners
Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and
Commissioner Anne Boyle excused not voting.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remit-
tances: Motion made by Commissioner Frank Landis, seconded by Commis-
sioner Rod Johnson, to approve a complaint being filed against Cable
One and that a one-time waiver be granted to Treasure Lake, LP. Motion
passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and
Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NATURAL GAS DEPARTMENT

Laura Demman reported a total number of 10 consumer com-
plaints and inquiries received during July. For each company: Black
Hills - 3; SourceGas - 5; NorthWestern - 1; and Other Entities - 1.

TRANSPORTATION DEPARTMENT

B-1800 In the Matter of Capeace, Inc., dba Commuter Express,
Omaha, seeking to acquire, through transfer, the certifi-
cate held by Hope Transportation, Inc., Omaha: A hearing was
scheduled for a date later to be determined. Commissioner Anne Boyle
was appointed as Hearing Officer.

B-1802 In the Matter of Camelot Transportation, dba Prince of the
Road, Kearney, seeking to acquire, through transfer, the
authority granted to R&F Hobbies, Inc., dba Prince of the Road, in
Certificate B-1441: Motion made by Commissioner Jerry Vap, seconded
by Commissioner Frank Landis, to enter an order granting temporary
authority. Motion passed with Commissioners Rod Johnson, Frank
Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne
Boyle excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

BR-394 In the Matter of R & A Transport, York, 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 on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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

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 Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

AS-Central Services-Network Services	\$	3,318.80
University of Nebraska		26,752.01
Maurice Gene Hand		1,310.49
Anne Boyle		599.40
Tim Schram		490.62

Mike Hybl discussed consideration of the responses to the Commission's release of a Request for Proposal for purposes of conducting Telecommunications Relay Service (TRS) Audits.

The meeting adjourned at 10:52 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present and Commissioner Anne Boyle excused. The next regularly scheduled meeting will be held on August 9, 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 8, 2011.

Chair man

Executive Director