

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 August 3, 2011 on Page 11 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 9, 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:

Tuesday, August 9, 2011:

C-4354/ Commission Hearing Room, Lincoln.
DC-79 In the Matter of the Nebraska Public Service Commission
1:30 regarding the 2010 Annual Report Filings. Commissioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4388 In the Matter of the Application of Tim Erickson, Phelps County, seeking authority to receive telephone service from Glenwood Telephone Company: 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 Jerry Vap, seconded by Commissioner Frank Landis, to enter orders granting Applications E-2290 thru E-2293. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

E-2290 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Dakota County.

E-2291 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Custer County.

E-2292 In the Matter of the Application of City of Grand Island, Grand Island, seeking authority to construct, operate and maintain an electric transmission line in Hall County.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2293 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County:

Gene Hand discussed the Broadband Mapping/Planning Grant.

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Gene Hand announced the deadline for pre-applications is August 16, 2011.

C-4391 In the Matter of HunTel CableVision, Inc. d/b/a American Broadband Nebraska Communications, Inc., Blair, to amend its Access Service Catalog to decrease the tandem switched transport-tandem switched facility per access minute per mile rate: Gene Hand informed the Commission that the protest period expired and the company was notified by letter to implement the rate decrease as proposed.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-042.41 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: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order denying the request. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1771 In the Matter of Larry Schmidt, dba Your Own Limousine, Supp. 2 Kearney, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by limousine between points in Furnas, Red Willow, Frontier, Lincoln, Valley, Greeley, Boone, Nance, Polk, Fillmore, Thayer, Nuckolls, Webster, Blaine, Loup and Garfield 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 Designation: No. Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting the application as amended. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

LR-324 In the Matter of Limousine Services, Inc., Lincoln, seeking authority to set its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, 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 retained at \$1.12 per mile and the Tariff 22 fuel surcharge was decreased to \$7.60 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

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

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-405 In the Matter of Farmers Cooperative Pilger: John Fecht discussed the shortage of corn.

GD-2969 In the Matter of Bockelman Grain Inc., Pierce, Nebraska, seeking authority as a grain dealer pursuant to Neb. Rev. Stat. Section 75-903 (Revised 1996): Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to grant a grain dealer license. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Commissioner Frank Landis left the Commission Hearing Room.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Voyager	\$2,082.91
Kent Pribyl	826.91
Rod Johnson	157.08
Rod Johnson	1,171.59

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to authorize Commissioner Rod Johnson to travel to and attend the Mid-America Cable Show 2011 to be held in Branson, Missouri, from September 6-9, 2011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Commissioner Frank Landis entered the Commission Hearing Room.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve awarding the Commission's Request for Proposal for purposes of conducting Telecommunications Relay Service (TRS) Audits to Hurlbert CPA for the Track 2 option. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to surplus vehicle number 12573, a 2003 White Ford Taurus (Greg Rocke). 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 Jerry Vap, to approve the Executive Director's recommendation to enter into closed session to discuss personnel issues. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. The Commission entered into closed session at 10:44 a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, 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 10:49 a.m.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to clarify the agency policy regarding compensation of permanent part-time employees working less than forty hours per week. Such individuals, with the approval of the Department Director and the Executive Director, may be paid for hours worked in excess of their scheduled work week, not to exceed forty hours per week. Any hours worked beyond forty hours per week shall be treated as compensatory time consistent with the agency policy manual. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

The meeting adjourned at 10:50 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 16, 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 15, 2011.

Chairman

Executive Director