

Chairman Tim Schram called the regularly scheduled meeting to order at 10:05 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 September 6, 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 September 13, 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, September 13, 2011:

Rules and Commission Hearing Room, Lincoln.  
Regulation In the Matter of the Commission, on its own motion, seeking  
#171 to amend Title 291, Chapter 10, Nebraska Universal Service  
1:30 Fund Rules and Regulations, to update the chapter in its  
entirety and to reorganize the chapter by the nature of the  
program supported by the NUSF. Commissioner Frank Landis  
presiding as Hearing Officer.

#### Wednesday, September 14, 2011:

10:00 Commission Hearing Room, Lincoln. Oral Arguments.  
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 intrastate switched access  
tariff.

FC-1335 In the Matter of the Formal Complaint of AT&T Communica-  
tions 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 tariffed intrastate switched access rates are  
unfair and unreasonable.

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order dismissing Cambridge Telephone Company and Northeast Nebraska Telephone Company from Docket FC-1348 and dismissing Dockets FC-1350 and FC-1355. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. 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; et. al. alleging unfair and unreasonable intrastate switched access rates and inefficient network architecture:

FC-1350 In the Matter of the Formal Complaint of Cambridge Telephone Company, Cambridge, Nebraska, v. AT&T Communications of the Midwest, Inc. a/k/a AT&T, Olathe, Kansas, alleging failure to pay for intrastate switched access services:

FC-1352 In the Matter of the Formal Complaint of Great Plains Communications, Inc., Blair, Nebraska, v. AT&T Communications of the Midwest, Inc. a/k/a AT&T, Olathe, Kansas, alleging failure to pay for intrastate switched access services:

FC-1355 In the Matter of the Formal Complaint of Northeast Nebraska Telephone Company, Jackson, Nebraska, v. AT&T Communications of the Midwest, Inc. a/k/a AT&T, Olathe, Kansas, alleging failure to pay for intrastate switched access services:

C-4400 In the Matter of the Application of Pinpoint Communications, Inc., Cambridge, seeking to amend its Access Service Catalog to implement promotional offering to decrease the tandem switched facility 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.

Gene Hand discussed the Webinar series scheduled to start September 21, 2011, which is part of the next phase of the Broadband Mapping and Planning initiative in Nebraska.

Gene Hand announced that he has been appointed Chair of the Staff Subcommittee on Telecommunications by Tony Clark, National Association of Regulatory Utility Commissioners (NARUC) President.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-42.06 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: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order denying the funding request. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Sue Vanicek informed the Commission that the next Wireless E911 Advisory Board meeting is scheduled for October 17, 2011 at 10:00 a.m. at the new Buffalo County Jail, Multipurpose Room, 1417 - 1st Avenue, Kearney.

Sue Vanicek discussed Nebraska Lifeline Awareness Week, September 12-18, 2011 and activities to promote awareness of the Lifeline program.

TRANSPORTATION DEPARTMENT

B-1800 In the Matter of Capeace, Inc., dba Commuter Express, Omaha, seeking to acquire, through transfer, the authority granted to Hope Transportation, Inc., Omaha, in Certificate B-1557. Commissioner Anne Boyle presiding as Hearing Officer: Mark Breiner informed the Commission that a motion to continue the hearing scheduled for September 19, 2011, was received from the protestants on September 12, 2011. The hearing will be continued to a date later to be determined.

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 \$1.08 per mile and the Tariff 22 fuel surcharge at \$7.20 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Deputy 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	\$	808.50
Holiday Inn Express		744.00
Voyager		2,509.19
West		1,029.48
Kent Pribyl		965.16

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

A.G.N. Sales	625.70
Alternative Hearing	515.00
Amplified Phone Services	833.52
Associated Hearing Health Care	335.50
B Hear	1,423.36
Beltone	1,379.50
Hearing Aid Center of Columbus	119.95
Carl A. Johnson	1,064.56
Glassman's Hearing Aid Services	179.95
Grand Island Hearing Aid Center	807.00
Professional Hearing Aid Services	1,522.53
Sherard Hearing Aid Services	229.00
Sprint Communications	649.96
Teltex, Inc.	2,082.71
The Hearing Clinic	564.00
Weitbrecht Communications	2,581.88

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to authorize Commissioners to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Annual Conference to be held in St. Louis, Missouri, from November 12 through November 16, 2011. 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 Jerry Vap, to authorize Gene Hand, Laura Demman, and Sue Vanicek to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Annual Conference to be held in St. Louis, Missouri from November 11 through November 16, 2011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

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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 September 20, 2011, at 10:00 a.m. with an agenda to be available in the office of the Deputy Director at 10:00 a.m. on September 19, 2011.

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Chair man

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Deputy Director