

Chairman Rod Johnson 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 Johnson invited the public to address the Commission and announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. The Nebraska Public Service Commission will be closed February 20, 2012 in observance of President's Day. The next Commission meeting will be held on February 22, 2012.

GENERAL ADMINISTRATION

Notice was duly published February 7, 2012 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on February 14, 2012 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, February 14, 2012:

911-050.01 Commission Hearing Room, Lincoln.

1:30 In the Matter of the Second Petition of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless, for support from the E-911 Wireless Service Provider (WSP) Grant Program. Commissioner Gerald Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in January 2012. She reported there were a total of 44 complaints: 25 wireline and 19 wireless. The complaints were categorized as follows: 26 billing, 13 service, and 5 miscellaneous issues.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders granting applications AD-528r and AD-529r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

AD-528r In the Matter of the Application of Tele-Town Hall, LLC, Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Boone, Iowa:

AD-529r In the Matter of the Application of Tele-Town Hall, LLC, Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Tustin, California:

COMMUNICATIONS DEPARTMENT (Cont.)

C-4435 In the Matter of the Application of 1 800 Collect, Inc., San Diego, California, seeking authority to operate as an interexchange carrier of telecommunications services within the State of Nebraska: 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-4436 In the Matter of the Application of United Telephone Company of the West d/b/a/CenturyLink, Denver, Colorado, seeking approval of an Interconnection, Collocation and Resale Agreement with QuantumShift Communications, Inc., San Ramon, California: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

C-4418 In the Matter of CenturyLink, Monroe, Louisiana, seeking a business and residential 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 February 14, 2012 to CenturyLink informing them that they can implement the rate increase as proposed.

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Gene Hand informed the Commission that \$40.38 was transferred from the Competitive Marketplace fund to the Internet Enhancement fund on February 9, 2012.

Gene Hand informed the Commission that a Hearing Officer order was entered on February 10, 2012, in Dockets FC-1332 and FC-1335 denying a motion to strike portions of a post-hearing brief. 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.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand reported on the telecommunications committee meetings held at the National Association of Regulatory Utility Commissioners (NARUC) Winter Conference held from February 3-8, 2012, in Washington, DC.

Gene Hand reported on the Declaratory Ruling by the Chief, Wireline Competition Bureau, addressing on call termination adopted and released by the Federal Communications Commission (FCC) on February 6, 2012.

Gene Hand reported BroadMap is holding provider portal training sessions each day this week to help providers understand how to use the portal effectively.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Sue Vanicek informed the Commission that the next Wireless E-911 Advisory Board Meeting will be April 9, 2012 at 10:00 in the Commission Hearing Room, Lincoln.

NUSF-1, In the Matter of the Commission, on its own motion, seeking P.O. #7 to establish guidelines for administration of the Nebraska Universal Service Fund: Dalton Telephone Company: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to grant Dalton Telephone Company's request for an extension to February 29, 2012 to file the 2009 NUSF Remittance Audit that was due December 31, 2011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NUSF-1, In the Matter of the Commission, on its own motion, seeking P.O. #7 to establish guidelines for administration of the Nebraska Universal Service Fund: Granite Telecommunications, LLC: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to grant Granite Telecommunication's request for an extension to September 30, 2012 to file the 2010 NUSF Remittance Audit that was due December 31, 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 Anne Boyle, to enter an order dismissing the complaints in Dockets NUSF-37.260 and NUSF-37.262. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NUSF-37. In the Matter of the Complaint of Sue Vanicek, Director of 260 the Nebraska Universal Service Department of the Nebraska Public Service Commission, Complainant, vs. Public Communications Services, Inc., Respondent(s).

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-37. In the Matter of the Complaint of Sue Vanicek, Director of 262 the Nebraska Universal Service Department of the Nebraska Public Service Commission, Complainant, vs. AT&T Corporation, Respondent(s).

NATURAL GAS DEPARTMENT

Laura Demman reported a total number of 17 consumer complaints and inquiries received at the Commission during January. For each company: Black Hills - 3; SourceGas - 11; NorthWestern - 0; and Other Entities - 3.

Laura Demman reported a total number of 108 consumer complaints and inquiries received at the Commission since July 1, 2011. For each company: Black Hills - 21; SourceGas - 68; NorthWestern - 3; and Other Entities - 16.

Laura Demman reported on the gas committee meetings held at the National Association of Regulatory Utility Commissioners (NARUC) Winter Conference held from February 3-8, 2012, in Washington, D.C.

Oil Pipeline

OP-0001/ In the Matter of the Commission, on its own motion, seeking PI-183 to establish guidelines for prosecution of applications under the Major Oil Pipeline Siting Act: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order opening the docket and scheduling a workshop for May 8, 2012, 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.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 9, Natural Gas and Pipeline #183 Rules and Regulations, to adopt rules regarding pipelines and to implement the provisions of the Major Oil Pipeline Siting Act: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order opening the docket, releasing the first set of proposed rules and seeking comments due March 30, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. Commissioner Gerald Vap was appointed as Hearing Officer.

LEGISLATIVE

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

Commissioner Rod Johnson was appointed as Hearing Officer for Dockets B-1121, B-1122, B-1215, B-1410, and B-1744.

- B-1121
Supp.6 In the Matter of Happy Cab Co., dba Checker Cab Co., Omaha, seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews is not authorized. HHS Designation: Yes.
- B-1122
Supp. 6 In the Matter of Happy Cab Co., dba Yellow Cab Co., Omaha, seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County 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: Yes.
- B-1215
Supp. 4 In the Matter of Happy Cab Co., dba Happy Cab, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, 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: Yes.
- B-1410
Supp. 1 In the Matter of DonMark, Inc., dba Cornhusker Cab Co., Inc., Papillion, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, 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: Yes.
- B-1744
Supp. 1 In the Matter of Valor Transportation Company, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, 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: Yes.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

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 \$1.10 per mile and the Tariff 22 fuel surcharge to \$7.40 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, 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-IM Services	\$	2,078.24
AS Central Services-Network Services		3,854.38
AS Central Services-Printing		698.72
Broad Map		91,360.44
Hurlbert CPA LLC		18,820.00
Voyager		1,834.68
West		1,029.48
Kent Pribyl		1,108.50
Tim Schram		988.61

The following invoices paid between February 1, 2012 and February 13, 2012 should be ratified:

Anne Boyle	\$	532.80
Anne Boyle		701.74
Tim Schram		679.32
Gerald Vap		1,610.55

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve Commission minutes for January, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:30 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 February 22, 2012, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on February 21, 2012.

Chairman Executive Director