

Chairman Rod Johnson 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 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. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published February 14, 2012 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 22, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter orders granting applications E-2302 and E-2303. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

E-2302 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain electric transmission lines in Lancaster County.

E-2303 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 reported on BroadMap's progress in training interested parties on the new provider portal.

Gene Hand reported on the Federal Communications Commission (FCC) order extending network outage reporting requirements to interconnected Voice over Internet Protocol (VoIP) service providers to help ensure a more resilient and reliable 9-1-1 system.

CG-02-278 In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991: Gene Hand reported that the Federal Communications Commission released an order on February 15, 2012, taking steps to protect consumers from unwanted telemarketing calls pursuant to the Telephone Protection Act of 1991.

Gene Hand discussed the US Telecom Forbearance petition seeking relief from legacy regulations filed with Federal Communications Commission on February 16, 2012.

Gene Hand informed the Commission that the next Telecommunications Relay System (TRS) Advisory Committee meeting will be held February 24, 2012, at 2:30 p.m. in the Commission Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-055/
PI-182 In the Matter of the Commission, on its own motion, seeking to investigate and revise wireless tower testing standards and procedures pursuant to the Enhanced Wireless 911 Services Act, Neb. Rev. Stat. § 86-442 et seq: Sue Vanicek discussed the Hearing Officer's order entered February 17, 2012, scheduling a workshop for April 10, 2012 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NUSF-1,
PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Public Communications Services: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to grant Public Communication's Services request for an extension to March 15, 2012 to file the 2010 NUSF Remittance Audit that was due December 31, 2011. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NUSF-1,
PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Ionex Communications North, Inc., dba Birch Communications: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to grant Ionex's request for an extension to March 31, 2012 to file the 2009 NUSF Remittance Audit that was due December 31, 2011. 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 Frank Landis, seconded by Commissioner Tim Schram, to enter protective orders in Dockets NUSF-77.01 PO #5 through NUSF 77.07 PO #5. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. Commissioner Frank Landis presiding as Hearing Officer.

NUSF-77.01
PO #5 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Mobius Communications Company.

NUSF-77.02
PO #5 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-77.03 In the Matter of the Petition of the Nebraska Telecommuni-
PO #5 cations Association for investigation and review of pro-
cesses and procedures regarding the Nebraska Universal
Service Fund: Application to the Nebraska Broadband Pilot
Program (NEBP) received from Nyecom Teleservices Inc./
Plainview Telephone Company.

NUSF-77.04 In the Matter of the Petition of the Nebraska Telecommuni-
PO #5 cations Association for investigation and review of pro-
cesses and procedures regarding the Nebraska Universal
Service Fund: Application to the Nebraska Broadband Pilot
Program (NEBP) received from Great Plains Communications.

NUSF-77.05 In the Matter of the Petition of the Nebraska Telecommuni-
PO #5 cations Association for investigation and review of pro-
cesses and procedures regarding the Nebraska Universal
Service Fund: Application to the Nebraska Broadband Pilot
Program (NEBP) received from Consolidated Telephone Com-
pany.

NUSF-77.06 In the Matter of the Petition of the Nebraska Telecommuni-
PO #5 cations Association for investigation and review of pro-
cesses and procedures regarding the Nebraska Universal
Service Fund: Application to the Nebraska Broadband Pilot
Program (NEBP) received from N.E. Colorado Cellular, Inc.,
d/b/a Viaero Wireless.

NUSF-77.07 In the Matter of the Petition of the Nebraska Telecommuni-
PO #5 cations Association for investigation and review of pro-
cesses and procedures regarding the Nebraska Universal
Service Fund: Application to the Nebraska Broadband Pilot
Program (NEBP) received from CenturyLink.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remit-
tances: Motion made by Commissioner Tim Schram, seconded by Commis-
sioner Frank Landis, that a one-time waiver be granted to deltathree,
Inc. for the 2nd and 3rd Quarter, 2011 late-filed worksheets. Addi-
tionally, that late fees be levied against Telephone Systems of
Nebraska, Lightyear Network Solutions and Coast to Coast Cellular, and
that complaints be opened against Nobeltel, LLC, McGraw Communica-
tions and Convergia. 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

NG-0017 In the Matter of ONEOK Energy Marketing Company, Topeka, Kansas, seeking recognition of name change to Constellation NewEnergy - Gas Division Midcontinent, Inc. (CNEGM): Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order recognizing the change in ownership. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NG-0061 In the Matter of Black Hills/Nebraska Gas Utility Company, HS-0039 LLC, d/b/a Black Hills Energy, Omaha, seeking a General Rate Increase for Black Hills Energy's Rate Areas One, Two and Three (Consolidated). Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter Assessment Order HS-0039. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

LEGISLATIVE

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

Upon agreement of all Commissioners present, a Prehearing Conference was scheduled for February 22, 2012, immediately following the Commission meeting in Dockets B-1121, B-1122, B-1215, B-1410, and B-1744. Commissioner Rod Johnson presiding as Hearing Officer.

B-1121 In the Matter of Happy Cab Co., dba Checker Cab Co., Omaha, Supp. 6 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-1122 In the Matter of Happy Cab Co., dba Yellow Cab Co., Omaha, Supp. 6 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.

TRANSPORTATION DEPARTMENT (Cont.)

- B-1215 In the Matter of Happy Cab Co., dba Happy Cab Co., 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.
Supp. 4
- B-1410 In the Matter of DonMark, Inc., dba Cornhusker Cab Co., 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.
Supp. 1
- B-1744 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.
Supp. 1
- B-1801 In the Matter of City Taxi, Inc., Carter Lake, Iowa, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxi in Douglas, Sarpy, Washington, Cass, and Dodge 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 Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application as amended and modified. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Rate Division

- BR-398 In the Matter of National Arbor Day Foundation, Nebraska City, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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.

TRANSPORTATION DEPARTMENT (Cont.)

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

Commissioner Frank Landis left the Commission Hearing Room.

GENERAL ADMINISTRATION

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

Apex	\$	35,691.12
Sprint		62,038.10
Rod Johnson		1,005.67
Gerald Vap		1,071.59

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	245.00
Amplified Phone Services		985.38
B Hear		1,456.38
Beltone		2,237.97
Complete Hearing Solutions		314.50
Great Call		49.00
Harris Communications		728.75
Hearing Aid Center of Columbus		139.95
Carl A. Johnson		322.00
Professional Hearing Aid Services		709.00
Sherard Hearing Aid Center		473.85
Sprint Communications		199.98
Teltex, Inc.		2,082.92
The Hearing Clinic Inc.		1,596.40
U-Save Pharmacy & Medical Supply		236.95
Weitbrecht Communications		928.52

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Scott Elston to travel to and attend an FRA Rail Safety Seminar to be held in Ames, Iowa, from February 27-29, 2012 with all expenses to be paid by the Nebraska Public Service Commission. Motion passed with Commissioners Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Commissioners to attend the National Association of Regulatory Utility Commissioners (NARUC) Summer Conference to be held in Portland, Oregon from July 20-25, 2012. Motion passed with Commissioners Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to authorize Gene Hand, Laura Demman and Sue Vanicek to attend the National Association of Regulatory Utility Commissioners (NARUC) Summer Conference to be held in Portland, Oregon from July 20-25, 2012. Motion passed with Commissioners Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

The meeting adjourned at 10:28 a.m. with Commissioners Rod Johnson, Tim Schram, and Gerald Vap present and Commissioners Anne Boyle and Frank Landis excused. The next regularly scheduled meeting will be held on February 28, 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 27, 2012.

Chairman

Executive Director