

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Gerald Vap present and Commissioner Frank Landis 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 28, 2012 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on March 6, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in February 2012. She reported there were a total of 40 complaints: 23 - wireline and 17 - wireless. The complaints were categorized as follows: 19 billing, 17 service, and 4 miscellaneous issues.

C-4438 In the Matter of the Application of NebraskaLink Holdings, LLC, Lincoln, seeking authority to operate as an interexchange carrier of telecommunications services within the State of Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-4441 In the Matter of the Joint Application of Voicecom Telecommunications, LLC, and ACG Telecom, LLC, Carrollton, Texas, seeking approval of internal reorganization: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Gene Hand informed the Commission that Benkelman, Wauneta, and Hartman Telephone Companies notified their customers and the Commission of a proposed residential rate increase effective June 1, 2012.

Gene Hand reported there were no late Telecommunications Relay Service (TRS) remittances for the January 2012 period.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
244 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Zito Midwest, LLC, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

NATURAL GAS DEPARTMENT

NG-0066 In the Matter of gas supply cost adjustment schedules
CA-007 implemented by Black Hills/Nebraska Gas Utility Company, LLC, d/b/a Black Hills Energy, Omaha, pursuant to Neb. Rev. Stat. sec. 66-1854. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram to enter Assessment Order CA-007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Laura Demman reported a total number of 9 consumer complaints and inquiries received during February. For each company: Black Hills - 2; SourceGas - 5; NorthWestern - 1; and Other Entities - 1.

LEGISLATIVE

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

Mark Breiner informed the Commission that the Hearing Officer entered a Prehearing Conference Order on February 29, 2012, establishing discovery deadlines and scheduling a hearing for April 9, 2012, at 9:00 a.m.; April 10, 2012, at 10:00 a.m.; and April 11, 2012, at 9:00 a.m. for 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.

TRANSPORTATION DEPARTMENT (Cont.)

- B-1122 In the Matter of Happy Cab dba Yellow 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. 6
- B-1215 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.
Supp. 4
- B-1410 In the Matter of DonMark, Inc., dba Cornhusker Cab Company, 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-1752 In the Matter of Custer Care, Broken Bow, seeking revocation and cancellation of the common carrier certificate in
B-1752: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order revoking the certificate in
B-1752. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

B-1753 In the Matter of the Application of New Cassel, Omaha, seeking revocation and cancellation of the common carrier certificate in B-1753: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order revoking the certificate in B-1753. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

B-1761 In the Matter of Limousine Services, LLC, Lincoln, seeking to change the stock ownership as follows: Current Ownership: Mike Roth (100%); Proposed Ownership: James Campin (50%), Tom Schmidt (50%): Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the acquisition of control through stock purchase. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

B-1799 In the Matter of Tailored Dreams Limousine and Sedan Service, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in limousine service by luxury or stretch limousine, sedans, and SUVs within 150 mile radius of Lincoln, Nebraska, between points within such radius, 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. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

B-1806 In the Matter of TAA, LLC, Grand Island, seeking authority Supp. 1 as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in charter and special party between 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. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

MCC-3179 In the Matter of Mark Breiner, Director, Motor Transportation Department, Public Service Commission, Complainant, vs. OTIT, Inc., Kincaid Coach Lines, Inc., OMALiNK, Inc., OPR Express, Inc., Prestige Limo, Safe and Sound Productions, SMC Shared Mobility Coach, Jerry Spady Cadillac GMC, Starsky's, Curtis E Service, Hot Shot Deliveries, Inc., Murphy Moving, Inc., and Western Nebraska Moving & Storage, Defendants: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter a show cause order and schedule a hearing for April 24, 2012, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting. Commissioner Tim Schram was appointed as Hearing Officer.

Rate Division

BR-399 In the Matter of TAA, LLC, Grand Island, seeking authority to set its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis 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 \$1.14 per mile and the Tariff 22 fuel surcharge at \$7.92 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, 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.

Laura Demman	\$	621.93
Kent Pribyl		910.64
Anne Boye		599.40
Tim Schram		566.10

The following invoices were paid between February 28 and March 5, 2012 and should be ratified:

Gerald Vap	\$	77.00
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GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to authorize Laura Demman to travel to and attend the 15th Annual EBA Midwest Energy Conference in Des Moines, Iowa on March 13th with all expenses to be paid by the Commission. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to change the Commission meeting on March 20, 2012 from 9:00 a.m. to 10:00 a.m. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

The meeting adjourned at 10:20 a.m. with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Gerald Vap present and Commissioner Frank Landis excused. The next regularly scheduled meeting will be held on March 13, 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 March 12, 2012.

Chairman

Executive Director