

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. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published March 20, 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 March 27, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

C-4437 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the statewide Telecommunications Relay System (TRS) to be effective July 1, 2012, in the State of Nebraska. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order setting the surcharge and approving the CapTel awareness campaign. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

C-4446 In the Matter of the Application of Zoom-i-Net Communications, Inc., Central Square, New York, seeking to withdraw their interexchange authority: 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.

C-4450 In the Matter of Benkelman Telephone Company, Benkelman, seeking a basic local rate increase. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter a protective order and a planning conference order scheduling a hearing for May 24, 2012 at 10:00 a.m. at the Weeth Theatre, Tipton Hall, McCook Community College, 402 East M Street, McCook. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter orders granting the applications in Dockets C-4443, C-4444 and C-4445. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

- C-4443 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a InterMTA Percentages Amendment to the Interconnection Agreement with New Cingular Wireless PCS, LLC, and its Commercial Mobile Radio Service operating facilities, d/b/a AT&T Mobility, Atlanta, Georgia, previously approved in Docket C-2100.
- C-4444 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a Cost Docket Rate Amendment to the Interconnection Agreement with AT&T Communications of the Midwest, Inc., New York, New York, previously approved in Docket C-3095.
- C-4445 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a Cost Docket Rate Amendment to the Interconnection Agreement with TCG Omaha, New York, New York, previously approved in Docket C-3095.
- C-4434 In the Matter of Diller Telephone Company, Diller, seeking a 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 March 27, 2012, informing Diller that the rate increase could be implemented as proposed.

Gene Hand informed the Commission that a Robocall Workshop is scheduled for April 5, 2012 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

Gene Hand reported that the 5th round of the broadband data package due to the National Telecommunications and Information Administration (NTIA) is being processed and is on schedule for submission prior to the April 2, 2012 deadline. In addition, the staff will be participating at infotec on April 17-18, 2012, at the CenturyLink Center in Omaha and the Governor's Conference on Rural Development on April 18, 2012 at the Holiday Inn Express, North Platte, demonstrating the new state broadband map based on 5th round data.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-024.44 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Keith County EM: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting access. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-050.01 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 Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving the funding. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

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. Commissioner Vap presiding as Hearing Officer: Shana Knutson informed the Commission that a Hearing Officer's Order was entered March 27, 2012 establishing a telephone bridge number 888-820-1398, attendee code #5582059, for the April 10, 2012 workshop.

NUSF-69 PO #8 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to implement policies and procedures related to providing dedicated universal service support for wireless telecommunications services: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order establishing June 1, 2012 as the deadline for applications seeking dedicated wireless program support. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NUSF-77.07 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 CenturyLink: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order withdrawing the application in part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order recognizing a change in ownership in Dockets NG-0017 and NG-0043. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NG-0017 In the Matter of ONEOK Energy Marketing Company, Topeka, Kansas, seeking authority, and to include temporary authority, as a Competitive Natural Gas Provider in the state of Nebraska.

NATURAL GAS DEPARTMENT (Cont.)

NG-0043 In the Matter of Constellation NewEnergy-Gas Division, LLC, Louisville, Kentucky, seeking authority for a Competitive Natural Gas Provider Certificate in the state of Nebraska.

LEGISLATIVE

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1668 In the Matter of Fairbury Taxi, LLC, dba Fairbury Taxi, Fairbury, seeking to change the stock ownership as follows: Current Ownership: Spencer Fentress (50%); Veronica J. Fentress (50%); Proposed Ownership: Veronica J. Fentress (100%): Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order granting the change of stock ownership. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

M-14205 In the Matter of Tymar, LLC, dba Second To None Moving, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in Cass, Sarpy, Douglas, and Washington counties, and between points in said counties over irregular routes: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Rate Division

BR-400 In the Matter of Papio Transport Service, Inc., Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, 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.

TR-188 In the Matter of Kearney Cab Company, Kearney, seeking authority to adjust its rates and charges: 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, 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 \$1.16 per mile and the Tariff 22 at \$8.12 per truck per truck.

GRAIN WAREHOUSE DEPARTMENT

Schedule A & E In the Matter of Fixing Reasonable Storage Rates and Charges for Public Grain Warehouses: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for May 9, 2012 at 10:00 a.m. CDT 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.

GW-20 In the Matter of the attached list of applicants seeking etal authority as a grain warehouse pursuant to Neb. Rev. Stat. Section 88-527: John Fecht informed the Commission of the grain warehouse renewal applications for the first quarter.

GW-1033 In the Matter of Fordyce Farmers Non-Stock Cooperative, Fordyce, NE: John Fecht discussed the shortage of corn.

GW-2186 In the Matter of Green Plains Grain Company, LLC, St. Edward, NE: John Fecht discussed the shortage of corn.

Grain Dealer Division

GD-153 In the Matter of the attached list of applicants seeking etal authority as a grain dealer pursuant to Neb. Rev. Stat. Section 75-903 (Reissue 1996): John Fecht informed the Commission of the grain dealer renewal applications for the first quarter.

GD-2903 In the Matter of Hawkeye Commodities Company, Grimes, IA, seeking a waiver of the Commission's Rules And Regulations regarding net worth requirements for grain dealers and to retain their grain dealer License in the State of Nebraska: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order eliminating the waiver of the Commission's net worth requirements. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, 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-Network Serv. Charges	\$	3,219.61
HHSS Reg. & License		528.29
Rod Johnson		1,025.64
Gerald Vap		1,043.44

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve the purchase of a 2012 Chevy Equinox for the Grain Warehouse Department. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

The meeting adjourned at 10:37 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 April 3, 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 April 2, 2012.

Chairman

Executive Director