

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. Commissioner Johnson announced that the Commission would be closed on April 27, 2012 in observance of Arbor Day.

#### GENERAL ADMINISTRATION

Notice was duly published April 17, 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 April 24, 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, April 24, 2012:

MCC-3179 Commission Hearing Room, Lincoln. Commissioner Tim Schram  
1:30 presiding as Hearing Officer. In the Matter of Mark Breiner, Director, Motor Transportation Department, Public Service Commission, Complainant, vs. City Taxi, Kincaid Coach Lines, Inc., Midland Services Link, Midwest Special Services, Inc., Midwest Transportation Spec., 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.

B-1804 Commission Hearing Room, Lincoln. Commissioner Tim Schram  
2:00 presiding as Hearing Officer. In the Matter of R & M Transportation, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in Douglas, Sarpy, and Washington counties, and between points in said counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes.

#### COMMUNICATIONS DEPARTMENT

AD-535r In the Matter of the Application of FLS Connect, LLC, St. Paul, Minnesota, seeking authority to register the connection of an automatic dialing-announcing device: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, 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.

COMMUNICATIONS DEPARTMENT (Cont.)

AD-536r In the Matter of the Application of M.J. Ross Group, Inc.  
d/b/a PoliticalRobocalls.com, Portland, Oregon seeking  
authority to register the connection of an automatic dialing-  
announcing device in Aurora, Colorado: Motion made by Commissioner  
Jerry Vap, seconded by Commissioner Frank Landis, 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.

C-4464/ In the Matter of the Application of TerraCom, Inc.,  
NUSF-81 Oklahoma City, Oklahoma, for designation as an eligible  
telecommunications carrier in the State of Nebraska: Motion  
made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap,  
to enter a protective order. Motion passed with Commissioners Rod  
Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and  
Commissioner Anne Boyle excused not voting. Commissioner Rod Johnson  
was appointed as Hearing Officer.

Gene Hand announced the new broadband portal has been  
released and the website address is broadband.nebraska.gov. The staff  
will be demonstrating the new portal and the updated broadband map at  
9:00 a.m. and 11:00 a.m. on May 1, 2012 in the Niobrara Conference  
Room.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-019/ In the Matter of the Nebraska Public Service Commission, on  
PI-118 its own motion, to implement provisions of LB 1222 [2006]  
and to establish a permanent funding mechanism for wireless  
enhanced 911 service: Motion made by Commissioner Tim Schram, seconded  
by Commissioner Frank Landis, to enter an order seeking comments due  
May 15, 2012 and scheduling a hearing for May 23, 2012 at 10:00 a.m.  
in the Commission Hearing Room, Lincoln. Motion passed with Commis-  
sioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting  
AYE, and Commissioner Anne Boyle excused not voting. Commissioner  
Gerald Vap was appointed as Hearing Officer to temporarily replace  
Commissioner Anne Boyle.

911-056/ In the Matter of the Commission, on its own motion, seeking  
PI-184 to investigate and establish one time distribution of funds  
for equipment and software pursuant to the Enhanced Wire-  
less Services Act, Neb. Rev. Stat. § 86-442 et seq: Motion made by  
Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to  
enter an order opening the docket, seeking comments due on or before  
May 15, 2012 at 3:00 p.m. and scheduling a hearing for May 23, 2012 at  
10:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with  
Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap  
voting AYE, and Commissioner Anne Boyle excused not voting.  
Commissioner Gerald Vap was appointed Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-81/ In the Matter of the Application of TerraCom, Inc.,  
C-4464 Oklahoma City, Oklahoma, for designation as an eligible  
telecommunications carrier in the State of Nebraska: This  
matter was addressed on the Communications Department's agenda.

NATURAL GAS DEPARTMENT

NG-0067 In the Matter of SourceGas Distribution LLC, Lakewood,  
DR-001 Colorado, seeking approval of a general rate increase.  
Commissioner Jerry Vap presiding as Hearing Officer: Motion  
made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis,  
to ratify the Assessment Order entered on April 17, 2012. Motion  
passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and  
Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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. Commissioner Jerry Vap presiding as Hearing Officer:  
Motion made by Commissioner Frank Landis, seconded by Commissioner Tim  
Schram, to enter an Order releasing the second set of proposed rules.  
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

B-1761 In the Matter of Limousine Services, LLC, Lincoln, seeking  
authority as a common carrier in Nebraska intrastate com-  
merce in the transportation of passengers by luxury limousine between  
points within a 250-mile radius of Dakota City over irregular routes.  
RESTRICTION: The transportation of railroad train crews and their bag-  
gage is not authorized. The certificate holder shall maintain a list-  
ing of its services in the Yellow Pages of the telephone directory  
serving Dakota City. Extend the authority by the addition of sedans to  
vehicles used: Upon agreement of all Commissioners present, an Oral  
Argument was scheduled for May 1, 2012 at 11:00 a.m. in the Commission  
Hearing Room, Lincoln. Commissioner Rod Johnson was appointed as Hear-  
ing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

B-1762 In the Matter of Divine Destinations, LLC, Wayne, Nebraska, Supp. 1 seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by luxury or stretch limousine in Nance, Polk, Merrick, Colfax, Butler, and Platte counties, and between points within said counties. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

B-1764 In the Matter of OPR Express, Inc., Lincoln: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order revoking Certificate B-1764. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

B-1767 In the Matter of RT Investments, LLC, dba Luxury Limousines Supp. 5 Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage by luxury or stretch limousine in Butler, Saunders, Sarpy, Douglas, and Washington counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: No: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order dismissing the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

B-1807 In the Matter of Special Day Limousine, LLC, Yankton, South Dakota seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by luxury or stretch limousine between points in South Sioux City, Nebraska and between points in the state of 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 Tim Schram, to enter an order granting the application as amended. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

M-14217 In the Matter of Gentle Giant Movers, Columbus, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods statewide in Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, 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.)

Rate Division

LR-329 In the Matter of Special Day Limousine, LLC, Yankton, South Dakota seeking authority to establish its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application as amended on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

LR-330 In the Matter of Limousine Services, LLC, Lincoln, 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 on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle 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 \$7.96 per truck per trip.

GENERAL ADMINISTRATION

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

AS Central Services-Materiel	\$	700.75
University of Nebraska-Broadband Planning		95,420.56
BroadMap		35,052.08
Sprint Relay		58,959.99
Rod Johnson		994.59
Gerald Vap		1,043.44

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	1,615.00
Amplified Phone Services		8,713.04
Beltone		2,461.15
Complete Hearing Solutions PC		943.50
Glassman's Hearing Aid Technology		385.40
Grand Island Hearing Aid Center		873.67
Harris Communications		1,118.85
Carl A. Johnson		918.95
Professional Hearing Aid Services		932.57
Sherard Hearing Aid Center		348.85

GENERAL ADMINISTRATION (Cont.)

Sprint Communications	\$	299.99
Teltex Inc.		2,562.70
Weitbrecht Communications		540.40

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Scott Elston to attend the Federal Railroad Administration (FRA) MP&E Recurrency 2012 Class to be held in West Des Moines, Iowa, from June 4-8, 2012 with all expenses to be paid by the FRA. 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 Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to authorize Mark Luttich to travel to and attend the National Fire Protection Association (NFPA) Standard on Recreational Vehicles (NFPA 1192) code development meeting to be held in Seattle, Washington, from May 21-25, 2012 with expenses to be paid through the Recreational Vehicle Program. Some expenses may be reimbursed by NFPA following submission of an application for reimbursement. 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 Jerry Vap, seconded by Commissioner Frank Landis, to authorize Commissioners Rod Johnson, Frank Landis, and Tim Schram to travel to and attend the Mid-America Regulatory Conference (MARC) Annual Meeting to be held in Des Moines, Iowa from June 10-12, 2012 with partial expenses to be paid by MARC. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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The meeting adjourned at 10:20 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present, and Commissioner Anne Boyle excused. The next regularly scheduled meeting will be held on May 1, 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 30, 2012.

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Chair man

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Executive Director