

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. Chairman Johnson informed the public that the next meeting will be held on May 16, 2012.

GENERAL ADMINISTRATION

Notice was duly published May 1, 2012 on Page 12 in Section 2 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on May 8, 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, May 8, 2012:

OP-0001/ Commission Hearing Room, Lincoln.
PI-183 In the Matter of the Commission, on its own motion, seeking
1:30 to establish guidelines for prosecution of applications
under the Major Oil Pipeline Siting Act. Commissioner Jerry
Vap presiding as Hearing Officer.

Wednesday, May 9, 2012:

Schedule Commission Hearing Room, Lincoln.
A & E In the Matter of Fixing Reasonable Storage Rates and
Rates Charges for Public Grain Warehouses. Commissioner Jerry Vap
10:00 presiding as Hearing Officer.

Tuesday, May 15, 2012:

NG-0067 Niobrara Conference Room, Lincoln.
1:30 In the Matter of SourceGas Distribution LLC, Lakewood,
Colorado, seeking approval of a general rate increase.
Commissioner Jerry Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

AD-537r In the Matter of the Application of Voice Broadcasting,
Arlington, Texas, seeking authority to register the connec-
tion of an automatic dialing-announcing device: Motion made by Commis-
sioner Tim Schram, seconded by Commissioner Jerry Vap, 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-538 In the Matter of the Application of SoundBite Communications, Inc., Bedford, Massachusetts, seeking authority to connect an automatic dialing-announcing device in Ashburn, Virginia: 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-4454 In the Matter of the Application of 365 Wireless, LLC, Atlanta, Georgia, seeking authority to operate as a local exchange and interexchange carrier of telecommunications services within the State of 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.

C-4467/
DC-81 In the Matter of the Nebraska Public Service Commission regarding the 2011 Annual Report Filings: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order opening the docket. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. Commissioner Tim Schram was appointed as Hearing Officer.

Gene Hand discussed the HunTel lawsuit against Verizon filed to recover unpaid billed intrastate and interstate exchange access services.

Gene Hand discussed the Federal Communications Commission (FCC) news release announcing the launch of the first-of-its-kind 'Mobility Fund' auction to accelerate delivery of 3G and 4G wireless service designed to close gaps in advanced mobile service coverage across the United States.

Gene Hand reported on efforts related to the launch of the new broadband website and the updated status of the Nebraska broadband map.

Gene Hand reported the U.S. Senate has confirmed the nominations of Ajit V. Pai and Jessica Rosenworcel as Federal Communications Commission (FCC) Commissioners.

Gene Hand distributed updated information on the pending proposed local rate increases.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-042.38 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Washington County: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application in part. 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-0067 In the Matter of SourceGas Distribution LLC, Lakewood, CA-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 enter an order granting Assessment Order CA-001. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NG-0071 In the Matter of gas supply cost adjustment schedules implemented by NorthWestern Corporation, D/B/A NorthWestern Energy, Sioux Falls, South Dakota, pursuant to *Neb. Rev. Stat. sec. 66-1854*. Commissioner Rod Johnson presiding as Hearing Officer: Laura Demman discussed an order entered by the Hearing Officer on May 3, 2012 establishing a timeline for completion of the Commission's review and scheduling a hearing for September 18, 2012, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

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. Commissioner Jerry Vap presiding as Hearing Officer: Laura Demman discussed an order entered by the Hearing Officer on April 30, 2012 continuing the hearing previously scheduled for May 21, 2012 to June 18, 2012 at 10:00 a.m. CDT in the Commission Hearing Room, Lincoln.

Laura Demman reported a total number of 12 consumer complaints and inquiries received during April. For each company: Black Hills - 5 and SourceGas - 7.

RULES AND REGULATIONS

Rule and Regulation #171 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 10, Nebraska Universal Service Fund Rules and Regulations, to update the chapter in its entirety and to reorganize the chapter by the nature of the program supported by the NUSF. Commissioner Frank Landis presiding as Hearing Officer: The Commission was informed that the rules were signed by the Governor and became effective May 1, 2012.

RULES AND REGULATIONS (Cont.)

Rule and Regulation #183 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 9, Natural Gas and Pipeline 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: The Commission was informed that a Hearing Officer's Order was entered April 30, 2012 continuing the hearing previously scheduled for May 21, 2012 to June 18, 2012 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

Rule and Regulation #185 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 11, Automatic Dialing-Announcing Devices Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 720 [2008] now codified in Neb. Rev. Stat. §§ 86-236 to 86-257 (Reissue of 2008): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order opening the docket and seeking comments due June 15, 2012. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. Commissioner Tim Schram was appointed as Hearing Officer.

TRANSPORTATION DEPARTMENT

B-1761 In the Matter of Limousine Services, LLC, Lincoln, seeking to extend its authority by the addition of sedans to vehicles used: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order denying the Motion for Rehearing and/or Reconsideration. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

B-1766 In the Matter of Iron Horse Relays, LLC, Lincoln, seeking to suspend its authority from May 1, 2012 to May 1, 2013: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the suspension from May 1, 2012 to May 1, 2013. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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 retained at \$1.14 per mile and the Tariff 22 fuel surcharge at \$7.92 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

- GD-1743 In the Matter of Farmers/Ranchers Cooperative Association of Ainsworth, NE: John Fecht discussed the shortage of corn.
- GD-2160 In the Matter of United Farmers Cooperative, York NE: John Fecht discussed the shortage of Oats.
- GD-2978 In the Matter of the application of West Plains, LLC, Kansas City, MO, seeking authority as a grain dealer pursuant to Neb. Rev. Stat. Section 75-903 (Reissue 1996): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting a grain dealer license. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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 Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Attorney General	\$	5,444.00
Voyager		1,969.86
Kent Pribyl		766.40

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve the minutes for April, 2012. 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 Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation for Mark Luttich to travel to and attend the Nebraska Manufactured Home Association Annual Conference to be held on May 18, 2012 in Council Bluffs, Iowa, with expenses to be paid by the Manufactured Home/Modular Housing Unit Funds. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

The meeting adjourned at 10:21 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 16, 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 May 15, 2012.

Chairman

Executive Director