

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:05 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 announced that the Commission would be closed May 28th in observance of Memorial Day and that the next Commission meeting would be held May 30th.

#### GENERAL ADMINISTRATION

Notice was duly published May 15, 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 May 22, 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 22, 2012:

MR-1009/ Commission Hearing Room, Lincoln.  
PI-70 In the Matter of the Commission, on its own motion,  
1:30 initiating an investigation on range uniformity in the Official Intra-city Household Goods Tariff 22, and to develop procedures for efficiently processing household goods mover tariff amendments. Commissioner Tim Schram presiding as Hearing Officer.

#### Wednesday, May 23, 2012:

10:00 Commission Hearing Room, Lincoln. Video links will be located at Ainsworth Public Library, 5<sup>th</sup> and Main, Ainsworth; Columbus Public Library, Columbus Room, 2<sup>nd</sup> Floor, 2504 14<sup>th</sup> Street, Columbus; McMillen Hall, Room 208, 1205 East 3<sup>rd</sup> Street, McCook; Northeast Community College, Maclay Building, Room 167A, 801 East Benjamin Avenue, Norfolk, and Chadron State College, Administration Building, Room 031, Chadron. Commissioner Gerald Vap presiding as Hearing Officer.

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.

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 Wireless Services Act, Neb. Rev. Stat. § 86-442 et seq.

GENERAL ADMINISTRATION (Cont.)

Thursday, May 24, 2012:

- 10:00 Weeth Theatre, Tipton Hall, McCook Community College, 402 East M St, McCook. Commissioner Gerald Vap presiding as Hearing Officer.
- C-4450 In the Matter of Benkelman Telephone Company, Benkelman, seeking a basic local rate increase.
- C-4451 In the Matter of Wauneta Telephone Company, Benkelman, seeking a basic local rate increase.
- C-4452 In the Matter of Hartman Telephone Exchanges, Inc., Benkelman, seeking a basic local rate increase.

COMMUNICATIONS DEPARTMENT

- C-4458 In the Matter of the Application of Randy Rasmussen, Dixon Nebraska, seeking authority to receive telephone service from the Dixon Exchange of the Northeast Nebraska Telephone Company: Motion made by Commissioner Jerry Vap, 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.
- C-4457 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a Omaha Forbearance Order Amendment to the Interconnection Agreement with Spectrotel, Inc., Neptune, New Jersey, previously approved in Docket C-4447: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order approving the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-020.06/In the Matter of Sue Vanicek, Director of the Nebraska Telephone Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Cable USA III, LLC; Centurytel Fiber Company, LLC; Covista, Inc.; Crexendo Business Solutions, Inc.; DIECA Communications, Inc.; DSLNet Communications, LLC; Geneva Broadband, LLC; Ionex Communications North, Inc.; Kentucky Data Link, Inc.; LH Telecom; Long Lines Siouland, LLC; Midwestern Telecommunications, Inc.; NetTalk.Com, Inc.; Neutral Tandem-Nebraska, LLC; New Edge Network, Inc.; NOS Communications, Inc.; Reliant Communications, Inc.; inContact, Inc.; Velocity the Greatest Phone Company Ever, Inc.; Wholesale Carrier Services, Inc.; XO Communications, LLC, Respondents:

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-020.06 Continued from previous page:

DC-82 Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for July 31, 2012 at 1:30 p.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 Rod Johnson was appointed as Hearing Officer.

911-042.33 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: City of Lincoln: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap to enter Nunc Pro Tunc Orders. 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, Colorado, seeking approval of a general rate increase. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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.

TRANSPORTATION DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders granting applications in Dockets B-1121, B-1122, B-1215, B-1410 and B-1744. 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 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,  
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 transpor-  
tation of railroad train crews and their baggage is not  
authorized. HHS Designation: Yes:
- B-1215      In the Matter of Happy Cab Co., dba Happy Cab, Omaha,  
Supp. 4      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 transpor-  
tation of railroad train crews and their baggage is not  
authorized. HHS Designation: Yes:
- B-1410      In the Matter of DonMark, Inc., dba Cornhusker Cab Company,  
Supp. 1      Papillion, seeking authority as a common carrier in  
Nebraska intrastate commerce in the transportation of pas-  
sengers 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-1744      In the Matter of Valor Transportation Company dba Safeway  
Supp. 1      Cab, Omaha, seeking authority as a common carrier in  
Nebraska intrastate commerce in the transportation of pas-  
sengers 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-1813      In the Matter of Tri-County Public Transportation, LLC,  
Schuyler, seeking to acquire, through transfer, the author-  
ity granted to Rosa's Plaza, Schuyler, in Certificate B-1768: Motion  
made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis,  
to enter an order granting the application and revoking Certificate  
B-1768. 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.)

M-14213 In the Matter of Modest Movers, LLC, Omaha, seeking a name change to Modest Movers, LLC, dba Middle West Movers, Omaha: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order recognizing Applicant's name change. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Rate Division

TR-190 In the Matter of Happy Cab dba Checker Cab Co.; Happy Cab dba Yellow Cab Co.; Happy Cab dba Happy Cab; DonMark, Inc., dba Cornhusker Cab Co.; and Valor Transportation Company dba Safeway Cab Co., Omaha, seeking authority to establish 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.

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 decreased to \$1.08 per mile and the Tariff 22 fuel surcharge to \$7.20 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-2127 In the Matter of the application of The Scoular Company, etal Omaha, seeking a \$25,000.00 deductible on its stock insurance: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the request for a \$25,000.00 stock insurance deductible. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Grain Dealer Division

GD-2934 In the Matter of Clark Specialty Grain LLC, Gothenburg, seeking renewal of their grain dealer license: John Fecht presented the final information required to renew grain dealer license from first quarter.

GD-2949 In the Matter of Nebraska Ag Trading, LLC, Wisner, seeking to cancel their grain dealer license: John Fecht presented the letter requesting cancellation of the grain dealer license.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Deputy 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.

Gerald Vap	\$	1,043.44
Nebraska Relay Service		55,151.52

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Tami S. Richardson Nelson	\$	312.85
Alternative Hearing		875.00
Amplified Phone Services		1,844.99
Johnny Borghesi		1,393.39
Larry Kent & Associates, Inc		6,241.15
Glassman Hearing and Technology		129.95
Grand Island Hearing Aid Center		798.10
Harris Communications		1,041.65
Hearing Aid Center of Columbus		659.80
The Hearing Clinic		1,062.95
Carl A. Johnson		2,634.57
League of Human Dignity, Inc.		353.90
Thomas Tambling		2,098.44
Midwest Hearing Consultants		159.50
Sprint Communications		99.99
Talk To Me Technologies		1,899.25
Teltex, Inc		2,129.35
Weitbrecht Communications		741.35
Western ENT Associates PC		150.00

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The meeting adjourned at 10:30 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 30, 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 29, 2012.

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Chair man

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Deputy Director