

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. Commissioner Johnson announced that there would be no Commission meeting the week of July 23 through the 27. The next Commission meeting will be July 31.

GENERAL ADMINISTRATION

Notice was duly published July 10, 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 July 17, 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, July 17, 2012:

- 911-018/ Commission Hearing Room, Lincoln.
PI-117 In the Matter of the Nebraska Public Service Commission, on
1:30 its own motion, seeking to establish audit requirements
related to the Wireless Enhanced 911 Fund. Commissioner
Jerry Vap presiding as Hearing Officer.
- RR-184 Commission Hearing Room, Lincoln.
2:30 In the Matter of the Commission, on its own motion, seeking
to amend Title 291, Chapter 7, Transmission Lines Rules and
Regulations, to adopt the 2012 edition of the National
Electrical Safety Code as the official rules of the Commis-
sion for the construction, operation, and maintenance of
overhead and underground electric transmission lines. Com-
missioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Gene Hand introduced the Broadband Planning Team who gave the Commission an update on second quarter 2012 activities.

- AD-542r In the Matter of the Application of Etelligence Pioneers,
LLC, Lincoln, Nebraska, seeking authority to register the
connection of an automatic dialing-announcing device: 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.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order authorizing payment. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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

C-4475 In the Matter of the Application of Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska, Mound, Minnesota, seeking to revise its depreciation rates: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order approving Frontier's revised depreciation rates. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

E-2313 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Hamilton County: 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.

Gene Hand informed the Commission that based on the level of petitions filed to date letters will be sent July 18, 2012 informing Consolidated Telecom, Inc. (C-4460), Consolidated Telephone Company (C-4461), Consolidated Telco, Inc. (C-4462), and Curtis Telephone Company (C-4463) that insufficient petitions were received to initiate a Commission review of the rate increases and the rate increases could be implemented.

C-4460 In the Matter of Consolidated Telecom, Inc., Lincoln, seeking a residential basic local rate increase:

C-4461 In the Matter of Consolidated Telephone Company, Lincoln, seeking a residential basic local rate increase:

C-4462 In the Matter of Consolidated Telco, Inc., Lincoln, seeking a residential basic local rate increase:

COMMUNICATIONS DEPARTMENT (Cont.)

C-4463 In the Matter of Curtis Telephone Company, Lincoln, seeking a residential basic local rate increase:

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 DC-82 the Nebraska Public Service Commission, Complainant, v. Cable USA III, LLC; Covista, Inc.; Crexendo Business Solutions, Inc.; DIECA Communications, Inc.; DSLNet Communications, LLC; Geneva Broadband, LLC; Ionex Communications North, Inc.; LH Telecom; Long Lines Siouxland, 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, Respondent(s): Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order dismissing Complaint, in part. 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 enter orders approving use of funding for Dockets 911-042.02, 911-042.05, 911-042.07, 911-042.13, 911-042.18, 911-042.22, 911-042.29, 911-042.32, 911-042.35, 911-042.40, 911-042.41, 911-042.43, 911-042.45, 911-042.48, 911-042.55, 911-042.58, 911-042.59, 911-042.61, 911-042.68, 911-042.70 and 911-042.72. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

911-042.02 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: Dodge County 911 Board:

911-042.05 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 South Sioux City:

911-042.07 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: Johnson County:

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.13 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: Merrick County:
- 911-042.18 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 North Platte:
- 911-042.22 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 Columbus:
- 911-042.29 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 Hastings:
- 911-042.32 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: Boyd-Holt Counties:
- 911-042.35 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: Burt County:
- 911-042.40 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: Mid Rivers 911:
- 911-042.41 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 Beatrice:
- 911-042.43 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: Cedar County:

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.45 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: Dundy County:
- 911-042.48 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: Garden County:
- 911-042.55 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: Howard County:
- 911-042.58 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: Region 26 Council:
- 911-042.59 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 Norfolk:
- 911-042.61 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: Otoe County:
- 911-042.68 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: Butler County:
- 911-042.70 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: EDS 911:
- 911-042.72 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: Kearney County:

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter orders approving use of funding for Dockets 911-043.02, 911-043.03, and 911-043.05 thru 911-043.07. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

911-043.02 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: U.S. Cellular Corporation:

911-043.03 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: Sprint Nextel:

911-043.05 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: Cricket Communications:

911-043.06 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: N.E. Colorado Cellular dba Viaero Wireless:

911-043.07 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: Pinpoint dba Blaze Wireless:

NUSF-69.12 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: Petition received July 1, 2012 from N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order approving the petition of U.S. Cellular Corporation for formal intervention. 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-0061 In the Matter of Black Hills/Nebraska Gas Utility Company,
HS-0043 LLC, d/b/a Black Hills Energy, Omaha, seeking a General
 Rate Increase for Black Hills Energy's Rate Areas One, Two
and Three (Consolidated). Commissioner Frank Landis presiding as Hear-
ing Officer: Motion made by Commissioner Anne Boyle, seconded by Com-
missioner Tim Schram, to enter Assessment Order HS-0043. Motion passed
with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap
voting AYE, and Commissioner Frank Landis 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 July 16,
2012 continuing the hearing previously scheduled for September 18,
2012 to October 2, 2012 at 1:30 p.m. in the Commission Hearing Room,
Lincoln.

RULES & REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking
Regulation to amend Title 291, Chapter 5, Telecommunications Rules and
#187 Regulations, to add rules regarding adequacy of service and
 prohibiting call blocking and choking. Motion made by Com-
missioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an
order opening a docket and seeking comments due August 17, 2012.
Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram,
and Jerry Vap voting AYE, and Commissioner Frank Landis excused not
voting. Commissioner Frank Landis appointed hearing officer.

TRANSPORTATION DEPARTMENT

B-1805 In the Matter of the Application of Millard Party Bus, LLC,
 Omaha, seeking to operate 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 Tim Schram, seconded by Commissioner Anne Boyle, to enter
an order approving application as amended. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE,
and Commissioner Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT(Cont.)

M-14218 In the Matter of the Application of Kwik But Careful Movers of Omaha, Plano, Texas, seeking to acquire through transfer, the authority granted to George von Rentzell dba Servant Moving Company, Greenwood, in Certificate M-14169: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order granting transfer of authority to M-14218 and simultaneously revoking and cancelling authority of M-14169 thus avoiding a lapse in authority. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis 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 remained the same at \$1.02 per mile and the Tariff 22 fuel surcharge remained the same at \$6.64 per truck per trip.

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, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

AS Central Services-Materiel	\$	1,010.86
AS Central Services-Materiel		1,057.83
AS Central Services-Personnel		506.00
AS Central Services-Risk Management		5,209.00
AS Central Services-OCIO		3,109.36
Latimer Reporting		505.00
Anne Boyle		199.80
Rod Johnson		924.63
Rod Johnson		427.35

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to authorize the Commissioners to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Winter Conference to be held in Baltimore, Maryland, from November 10 through November 15, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to authorize Gene Hand, Laura Demman, and Sue Vanicek to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Winter Conference to be held in Baltimore, Maryland from November 9 through November 15, 2012. 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 Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve a license agreement with the Lincoln Airport Authority (LAA) to utilize LAA-owned real estate for the purpose of testing taxi cab meters. 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 10:30 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 July 31, 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 July 30, 2012.

Chairman

Executive Director