

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. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published July 31, 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 August 7, 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, August 7, 2012:

C-4467/ Commission Hearing Room, Lincoln.
DC-81 In the Matter of the Nebraska Public Service Commission
1:30 regarding the 2011 Annual Report Filings. Commissioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in July 2012. She reported that there were a total of 38 complaints: 20 - wireline and 18 - wireless. The complaints were categorized as follows: 21 billing, 14 service, and 3 miscellaneous issues.

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. Commissioner Rod Johnson presiding as Hearing Officer: 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.

C-4453/ In the Matter of the Application of Cricket Communications,
NUSF-80 Inc., San Diego, California, for designation as an eligible telecommunications carrier in the State of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, 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-4476 In the Matter of the Combined Application of AT&T Corp., Bedminster, New Jersey, seeking authority for a Certificate of Public Convenience and Necessity to Provide Intrastate Local Exchange and Interexchange Telecommunications Services within the State of Nebraska, and of AT&T Corp., Bedminster, New Jersey and AT&T Communications of Midwest, Inc., Olathe, Kansas, seeking authority to complete certain Pro-Forma Intra-Corporate Restructuring: 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.

C-4477 In the Matter of the Joint Application of Fusion Telecommunications International, Inc., NBS Acquisition Corp., New York, New York and Network Billing Systems, LLC, Wayne, New Jersey, seeking approval for the Transfer of Control of Network Billing Systems, LLC: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, 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.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter orders approving applications C-4479 thru C-4495. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-4479 In the Matter of the Application of Clarks Telecommunications Company, Jackson, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3165:

C-4480 In the Matter of the Application of Nebraska Central Telephone Company, Gibbon, seeking approval of an Amendment to the Traffic Exchange Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-4256:

C-4481 In the Matter of the Application of Hamilton Telecommunications, Aurora, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3178:

COMMUNICATIONS DEPARTMENT (Cont.)

- C-4482 In the Matter of the Application of K & M Telephone Company, Chambers, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3174:
- C-4483 In the Matter of the Application of Three River Telco, Lynch, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3171:
- C-4484 In the Matter of the Application of Hershey Cooperative Telephone Company, Hershey, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3167:
- C-4485 In the Matter of the Application of Hartington Telecommunications Company, Inc., Hartington, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3166:
- C-4486 In the Matter of the Application of Stanton Telecom, Inc., Stanton, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3170:
- C-4487 In the Matter of the Application of Cambridge Telephone Company, Cambridge, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3271:
- C-4488 In the Matter of the Application of Arlington Telephone Company, Blair, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3197:

COMMUNICATIONS DEPARTMENT (Cont.)

- C-4489 In the Matter of the Application of Rock County Telephone Company, Blair, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3199:
- C-4490 In the Matter of the Application of Eastern Nebraska Telephone Company, Blair, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3198:
- C-4491 In the Matter of the Application of Blair Telephone Company, Blair, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3196:
- C-4492 In the Matter of the Application of Consolidated Telephone Company, Lincoln, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3193:
- C-4493 In the Matter of the Application of Consolidated Telco, Inc., Lincoln, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3195:
- C-4494 In the Matter of the Application of Consolidated Telecom, Inc., Lincoln, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3194:
- C-4495 In the Matter of the Application of Northeast Nebraska Telephone Company, Jackson, seeking approval of an Amendment to the Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications of Nebraska, Inc. d/b/a Verizon Wireless, Southfield, Michigan, previously approved in Docket C-3169:

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand reported the United States Court of Appeals Tenth Circuit denied Qwest's petition for review (Appellate Case: 10-9543) which arose out of a June 2010 Federal Communications Commission(FCC) order denying Qwest's petition for forbearance from unbundling obligations and dominant-carrier regulations pertaining to Qwest's provision of mass-market services in the Phoenix Metropolitan Statistical Area(MSA).

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter orders granting public safety answering points' funding requests in Dockets 911-042.07, 911-042.26, and 911-042.49. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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:

911-042.26 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: Dawson County:

911-042.49 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: Douglas County:

NUSF-37.269 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. NE Colorado Cellular, Inc., dba Viaero, Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

NUSF-80/
C-4453 In the Matter of the Application of Cricket Communications, Inc., seeking designation as an Eligible Telecommunications Carrier: An order approving application was entered on the Communication's agenda.

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: An
order approving application was entered on the Communication's agenda.

NATURAL GAS DEPARTMENT

NG-0067 In the Matter of SourceGas Distribution LLC, Lakewood,
Colorado, seeking approval of a general rate increase. Com-
missioner Jerry Vap presiding as Hearing Officer: Motion made by Com-
missioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an
order approving Refund Plan. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting AYE, and Commis-
sioner Frank Landis excused not voting.

Request for an Interpretation Regarding the Applicability
of *Neb. Rev. Stat. § 75-148* to Jurisdictional Utilities as Defined in
the State Natural Gas Regulation Act, *Neb. Rev. Stat. § 66-1801*, et
seq.: Motion made by Commissioner Anne Boyle, seconded by Commissioner
Tim Schram, to approve the proposed Commission response to the refi-
nancing of debt as outlined in a letter received from NorthWestern
Energy. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim
Schram, and Jerry Vap voting AYE, and Commissioner Frank Landis
excused not voting.

Laura Demman reported a total number of 13 consumer com-
plaints and inquiries received at the Commission during July. For
each company: Black Hills - 4; SourceGas - 7; NorthWestern - 0; and
Other Entities - 2.

Laura Demman reported on the NARUC Gas Committee meetings
held in Portland, Oregon, July 23-24, 2012.

TRANSPORTATION DEPARTMENT

B-1298 In the Matter of CABCO, Inc., Scottsbluff. Commissioner
Jerry Vap presiding as Hearing Officer: Motion made by Com-
missioner Tim Schram, seconded by Commissioner Anne Boyle, to schedule
an order to show cause and set hearing for August 28, 2012 at 10:30
a.m. in the Commission Hearing Room, Lincoln. Motion passed with Com-
missioners Anne Boyle, Rod Johnson, Tim Schram, and Jerry Vap voting
AYE, and Commissioner Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

B-1810 In the Matter of Grand Island Party Bus (GIPB), Grand Island, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in charter and special party between points in Hall County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Commissioner Rod Johnson was appointed Hearing Officer.

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 increased to \$1.10 per mile, and the Tariff 22 fuel surcharge to \$7.60 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, 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.

Ted Burkey	\$	1,160.25
Fred Massing		1,850.00
Mark Luttich		515.58
Kent Pribyl		1,073.66
Tim Schram		377.40

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	249.70
Amplified Phone Services		517.47
Beltone		2,945.69
Dynavox Systems		1,000.00
Grand Island Hearing Aid Center		585.76
Harris Communications		803.65
League of Human Dignity		249.59
Professional Hearing Aid Services		992.46
Sherard Hearing Aid Center		240.11
Talk To Me Technologies		1,000.00
Teltex Inc.		802.10
Weitbrecht Communications		752.57
Weitbrecht Communications		156.20
White's Hearing Aid Specialists		506.29

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to authorize Kent Prybl to travel to Clay Center, Kansas on August 7, 2012 to perform a modular housing unit factory inspection of Wardcraft Homes with all expenses, including time, to be reimbursed to the Commission by Wardcraft Homes. 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 Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to authorize Angela Melton to travel to and attend the FERC Natural Gas 101 to be held in Chicago, Illinois from September 30 through October 2, 2012. 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 10:25 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 August 14, 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 August 13, 2012.

Chair man

Executive Director