

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 August 28, 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 September 5, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in August 2012. She reported there were a total of 32 complaints: 16 wireline and 16 wireless. The complaints were categorized as follows: 14 billing, 12 service and 6 miscellaneous issues.

C-4503 In the Matter of the Joint Application of Unite Private Networks, L.L.C., Kearney, Missouri, Treasure Lake, L.P. and Zito Midwest, LLC, Coudersport, Pennsylvania, seeking approval of Transfer of Assets of Treasure Lake, L.P. and Zito Midwest, LLC to Unite Private Networks, L.L.C. and seeking approval of Issuance of Debt and Related Financing Transactions: 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-4505 In the Matter of the Application UCN, Inc., Midvale, Utah, seeking approval for a name change to inContact, Inc. d/b/a UCN: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap 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 Jerry Vap, seconded by Commissioner Anne Boyle, to enter orders approving applications C-4500 through C-4502. 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-4500 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking Termination of the Wholesale Service Order Charge Amendment to the Interconnection Agreement with McLeodUSA Telecommunications Services, Inc. d/b/a PAETEC Business Services d/b/a Windstream Communications, Little Rock, Arkansas, previously approved in Docket C-2023.
- C-4501 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking DC Power Self Certification Amendment to the Interconnection Agreement with McLeodUSA Telecommunications Services, Inc. d/b/a PAETEC Business Services d/b/a Windstream Communications, Little Rock, Arkansas, previously approved in Docket C-2023.
- C-4502 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking DC Self Certification Amendment to the Interconnection Agreement with XO Communications Services, LLC, Salt Lake City, Utah, previously approved in Docket C-3939.
- E-2319 In the Matter of the Application of Niobrara Valley Electric Membership Corporation, O'Neill, seeking authority to construct, operate and maintain an electric transmission line in Holt 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 updated the Commission on an addition to the agenda for the October 2, 2012 Broadband Conference to be held at the Cornhusker Hotel.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

- 911-002 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order scheduling a hearing for October 10, 2012 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting. Commissioner Vap was appointed as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-030 In the Matter of Sue Vanicek, Director of the Nebraska
.39 Telecommunications Infrastructure and Public Safety Depart-
 ment of the Nebraska Public Service Commission, Complainant
v. Sti Prepaid, LLC, Respondent: Motion made by Commissioner Tim
Schram, seconded by Commissioner Jerry Vap to enter an order schedul-
ing a hearing for October 10, 2012 at 1:30 p.m. in the Commission
Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle,
Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner
Frank Landis excused not voting. Commissioner Johnson was appointed as
Hearing Officer.

NATURAL GAS DEPARTMENT

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 August 28,
2012, releasing the Commission consultant prudency report.

Laura Demman reported a total number of 9 consumer com-
plaints and inquiries received at the Commission during August. For
each company: Black Hills - 1; SourceGas - 5; NorthWestern - 2; and
Other Entities - 1.

TRANSPORTATION DEPARTMENT

B-1298 In the Matter of CABCO, Inc., Scottsbluff, Nebraska: Motion
 made by Commissioner Jerry Vap, seconded by Commissioner
Anne Boyle, to enter an order sustaining the show cause and revoking
the authority in Certificate B-1298. Motion passed with Commissioners
Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Com-
missioner Frank Landis excused not voting.

B-1798 In the Matter of Triumph Transportation, dba Prince of the
Supp. 1 Road, seeking to extend the authority as a common carrier
 in the transportation of passengers and their baggage in
open class service by van and wheelchair van between points in Lancas-
ter County, on the one hand, and, on the other hand, points in
Nebraska over irregular routes: Motion made by Commissioner Jerry
Vap, seconded by Commissioner Tim Schram, to enter an order granting a
Motion for Leave to Withdraw and cancelling the hearing scheduled for
September 4-5, 2012. Motion passed with Commissioners Anne Boyle, Rod
Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank
Landis excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

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 \$1.20 per mile and the Tariff 22 fuel surcharge was increased to \$8.44 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-279 In the Matter of Farmers Cooperative, Plymouth, NE: John Fecht discussed a shortage of milo.

GW-1154 In the Matter of Cooperative Producers, Inc., Hastings, NE: John Fecht discussed a shortage of soybeans.

Grain Dealer Division

GD-2846 In the Matter of The Andersons Agriculture Group L.P., Maumee, OH, request for cancellation of the grain dealer license: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to cancel the grain dealer license effective August 1, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

GD-2985 In the Matter of the Application of Mid-Iowa Cooperative, Beaman, IA seeking authority as a grain dealer pursuant to Neb. Rev. Stat. Section 75-903 (Reissue 1996): Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting the grain dealer license. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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.

BroadMap	\$	68,643.92
GSF, Inc.		7,140.00
US Bank - Purchasing Card		1,929.60
Anne Boyle		666.00

GENERAL ADMINISTRATION (Cont.)

The Commission discussed the 2012 Annual Report to the Legislature.

The meeting adjourned at 10:38 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 September 11, 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 September 10, 2012.

Chairman

Executive Director