

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present. 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 September 11, 2012 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 18, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

C-4504 In the Matter of the Applications of Victory Telecom, Inc., Arlington, Texas, seeking authority to operate as an inter-exchange carrier of telecommunication services within the State of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4507/ In the Matter of the Application of Budget PrePay, Inc.,
NUSF-82 d/b/a Budget Mobile, Bossier City, Louisiana, seeking limited designation as a LifeLine-Only Eligible Telecommunications Carrier within the State of Nebraska: Commissioner Rod Johnson was appointed as Hearing Officer.

C-4508 In the Matter of the Application of 1 800 Collect, Inc., San Diego, California, seeking authority to add the trade name of Simple Billing Solutions: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand reported that Commission staff will be participating in a Broadband Mapping and Planning presentation to the Nebraskan League of Municipalities Annual Conference on September 21, 2012 in Kearney.

Gene Hand reported that the Alliance for Telecommunications Industry Solutions (ATIS) released its Intercarrier Call Completion/Call Termination Handbook intended to help mitigate problems being encountered by some rural telephone company customers in receiving long distance calls. The staff will file a copy of the ATIS handbook in Docket C-4328, the Commission's open proceeding on long-distance services quality.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

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: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order adopting the proposal and releasing adjusted payments. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-042 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: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter multiple orders approving adjusted payments in Docket 911-042. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The following dockets had approved adjusted payments:

- 01 Nemaha County
- 02 Dodge County 911 Board
- 03 Clay County
- 04 Knox County
- 05 City of South Sioux City
- 06 City of Grand Island
- 07 Johnson County
- 08 City of Falls City
- 09 City of McCook
- 10 Buffalo County
- 12 Kimball County
- 13 Merrick County
- 14 City of Holdrege
- 15 Hamilton County
- 16 Cheyenne County
- 17 Hitchcock County
- 18 City of North Platte
- 19 Saline County
- 20 Dawes County
- 21 Cuming County
- 22 City of Columbus
- 23 Perkins County
- 24 Fillmore County
- 25 Keith County
- 26 Dawson County
- 27 Frontier County
- 28 Seward County
- 29 City of Hastings
- 30 Jefferson County 911
- 31 Thurston County
- 32 Boyd-Holt Counties Joint E911
- 33 City of Lincoln

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-042 In the Matter of the Nebraska Public Service Commission, on
(Cont.) its own motion, seeking to administer funding for public
safety answering points for the implementation and provi-
sion of Enhanced Wireless 911 service:

34 Polk County
35 Burt County
36 Nuckolls County 911
38 Washington County
39 Cass County Sheriff's Office
41 City of Beatrice
42 Furnas County
43 Cedar County
44 Boone County
45 Dundy County
46 City of Wayne and Wayne County
47 Custer County
49 Douglas County
50 Chase County
51 Rock County
52 Cherry County
53 Brown County
54 Keya Paha County
55 Howard County Communications
56 York County
57 City of Alliance
58 Region 26 Council
59 City of Norfolk
60 Thayer County
61 Otoe County Sheriff
62 Colfax County
63 Scottsbluff County
64 Sarpy County
65 Dixon County
66 Antelope County
67 Pierce County
68 Butler County
69 Nance County
71 Saunders County
72 Kearney County
73 Sheridan County

NUSF-82/
C-4507 In the Matter of the Application of Budget PrePay, Inc.,
dba Budget Mobile, Bossier City, Louisiana, seeking limited
designation as a Lifeline-Only Eligible Telecommunications
Carrier within the State of Nebraska: This matter was administered in
the Communication's Department agenda.

NATURAL GAS DEPARTMENT

NG-0056 In the Matter of Asgard Energy LLC, Denver, Colorado, seeking authority for a Competitive Natural Gas Provider Certificate in the state of Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram to enter an order granting authority withdrawn. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0071 In the Matter of gas supply cost adjustment schedules
HS-001 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: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter Assessment Order No. HS-001. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1806 In the Matter of TAA, LLC, Grand Island, seeking to change an existing operation by the transfer of stock ownership: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order granting the change in stock ownership. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-13527 In the Matter of Joe Poff, dba Durham Transfer, Omaha: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order revoking the authority in Certificate. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

LR-331 In the Matter of Tailored Dreams Limousine & Sedan Service, Lincoln, seeking authority to adjust its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 \$8.52 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-2976 In the Matter of the Application of Lackawanna Products Corp., Clarence, NY 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 Tim Schram, to enter an order granting the grain dealer license. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GSF Inc.	\$	7,140.00
Thomas Reuters		1,080.95
AS-Central Services-OCIO		995.44
AS-Central Services-Personnel-SOS		1,006.38
Secretary of State		595.55
Rod Johnson		900.77
Gerald Vap		1,184.97

Mike Hybl discussed the RFQ 3101 submissions and process for consideration of the appointment of the Nebraska Public Advocate.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Commission minutes from August. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to renew an agreement with Fred Massing for the purpose of modular housing unit and manufactured home factory inspections in the State of Nebraska. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to renew the State Railroad Safety Technical Training Funding Agreement with the Federal Railroad Administration effective on October 1, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Mark Luttich to travel to and attend the Manufactured Housing Consensus Committee Meeting to be held in Arlington, Virginia, from October 22-26, 2012, with all expenses to be paid by the US Department of Housing and Urban Development (HUD). Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:22 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on September 25, 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 24, 2012.

Chair man

Executive Director