

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Gerald Vap and Tim Schram 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 December 11, 2012 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held December 18, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Tuesday, December 18, 2012:

1:30 Commission Hearing Room, Lincoln.  
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 presiding as Hearing Officer.

#### COMMUNICATIONS DEPARTMENT

C-4534 In the Matter of the Joint Application of First Communications, LLC, Akron, Ohio, and Summit Data Services, Inc., Akron, Ohio, seeking approval of a transfer of control of First Communications, LLC to Summit Data Services, Inc: Motion made by Commissioner Tim Schram, 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-4535 In the Matter of the Application of Robert Whitten, Dawson, seeking authority to receive telephone service from the Falls City exchange of Southeast Nebraska Telephone Company: Commissioner Frank Landis was appointed as Hearing Officer.

C-4538 In the Matter of the Application of Jeanne McGinnis, Dawson, seeking authority to receive telephone service from the Falls City exchange of Southeast Nebraska Telephone Company: Commissioner Frank Landis was appointed as Hearing Officer.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4536        In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QCC, Denver, Colorado, seeking approval of an Interconnection Agreement with Hypercube Telecom, LLC, Lancaster, Texas: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Tim Schram, Frank Landis, Anne Boyle and Jerry Vap voting AYE.

E-2331        In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain electric transmission lines in Lancaster County: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, 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/  
NUSF-82        In the Matter of the Application of Budget Prepay Inc., 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 presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer procedural order was entered October 29, 2012, scheduling a hearing for December 18, 2012, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

C-4528/  
NUSF-84        In the Matter of the Application of GCIA Corp. d/b/a STAND UP WIRELESS seeking limited designation as a LifeLine-Only designation as an Eligible Telecommunications Carrier in the State of Nebraska. Commissioner Rod Johnson presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer order was entered scheduling a hearing for February 12, 2013, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

C-4328/  
PI-176        In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate issues related to the service quality associated with intrastate interexchange service including the origination, termination, and routing of interexchange calls. Commissioner Frank Landis presiding as Hearing Officer: Gene Hand reported on the status of intrastate call completion testing.

C-4392/  
PI-179        In the Matter of the Commission, on its own motion, seeking comments on the request by the City of Omaha to be assigned the use of "311" in Douglas County, for access to non-emergency police and government services: Gene Hand reported on the 311 letter from the City of Omaha.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand informed the Commission that Cox Communications will begin notifying their residential customers of a proposed \$1.05 per telephone line increase on January 1, 2013. The public information meetings will be held on February 20, 2013, at 5:30 p.m. at the Thompson Alumni Center, 6705 Dodge Street, Omaha, and on February 21, 2013, at 5:30 p.m. at the LaVista Conference Center, 12520 Westport Way, LaVista.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders approving the requests in part in Dockets 911-042.38 and 911-042.49. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-042.38 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: Washington 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

911-054/  
PI-181 In the Matter of the Commission, on its own motion, seeking to investigate and determine costs eligible for funding from the Enhanced Wireless 911 Fund pursuant to Neb. Rev. Stat. 86-465(2)(b) and (c): Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-057/  
PI-187 In the Matter of the Commission, on its own motion, seeking to investigate funding for costs for the development of certain Geographical Information Systems Data relating to the provision of Enhanced Wireless 911 Service: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order opening the docket and seeking comments due January 31, 2013 at 3:00 p.m. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek informed the Commission that the next Wireless E-911 Advisory Board meeting is scheduled for January 28, 2013 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-61.05 In the Matter of the Nebraska Public Service Commission, to review traffic studies to determine the appropriate percentage of assessable revenues subject to the Nebraska Universal Service Fund: United States Cellular Corporation's (U.S. Cellular) request for approval of traffic study: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle to enter an order approving 2012 traffic study. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-82/ In the Matter of the Application of Budget Prepay Inc.,  
C-4507 d/b/a Budget Mobile, Bossier City, Louisiana, seeking limited designation as a Lifeline-only Eligible Telecommunications Carrier within the State of Nebraska: The Hearing Officer's Order of October 29, 2012 setting pre-filed testimony due December 5, 2012 and scheduling a hearing for December 18, 2012 at 1:30 p.m. in the Commission Hearing Room, Lincoln, was discussed on the Communication's agenda.

NUSF-84/ In the Matter of the Application of GCIA Corporation dba  
C-4528 STAND UP WIRELESS, seeking designation as an Eligible Telecommunications Carrier in the State of Nebraska for the limited purpose of participating in the Lifeline Program: The Hearing Officer's Order setting pre-filed testimony due January 25, 2013 at 3:00 p.m. and scheduling a hearing for February 12, 2013 at 1:30 p.m. in the Commission Hearing Room was discussed on the Communications' agenda.

Sue Vanicek discussed the NUSF Late-Paid Carrier Remittances: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram to open a Complaint against Frontier Communications of America and, that late fees be levied against AccessLine Communications and Verizon Long Distance, LLC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Action against Cox Nebraska Telecom II LLC, was passed over.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 14, Recreational Vehicles Rules  
#189 and Regulations, to adopt rules in accordance with Nebraska  
Legislative Bill 751 [2012]. Commissioner Tim Schram presiding as Hearing Officer: Nichole Mulcahy informed the Commission that a Hearing Officer's order was entered December 11, 2012 rescheduling the hearing previously set for December 11, 2012 to January 29, 2013 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

RULES AND REGULATIONS (Cont.)

Rule and In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 5, Telecommunications Rules and  
#186 Regulations, to adopt rules in accordance with Nebraska  
Legislative Bill 715 [2012]: Motion made by Commissioner  
Frank Landis, seconded by Commissioner Anne Boyle, To enter an order  
releasing a second set of proposed rules and scheduling a hearing for  
January 29, 2013 at 2:00 p.m. in the Commission Hearing Room, Lincoln,  
with comments due January 18, 2013 at 3:00 p.m. Motion passed with  
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and  
Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1588 In the Matter of Platte County Ambulance Co., dba Midwest  
Supp. 1 Medical Transport Co, Columbus, seeking authority as a  
common carrier in open class service in the transportation  
of handicapped or incapacitated passengers between points in the  
state of Nebraska over irregular routes. RESTRICTIONS: The transporta-  
tion of railroad train crews and their baggage is not authorized.  
Wheelchair bound patients only. HHS Designation: No: Motion made by  
Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter  
an order granting the application. Motion passed with Commissioners  
Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting  
AYE.

B-1769 In the Matter of Emerald Limousine, Inc., Omaha, seeking  
Supp. 3 authority in Nebraska intrastate commerce in the trans-  
portation of passengers in limousine service by vans and  
SUVs over irregular routes within a 250 mile radius of Omaha, Nebra-  
ska. RESTRICTION: The transportation of railroad train crews and their  
baggage is not authorized. The certificate holder shall maintain a  
listing of its services in the Yellow Pages of the telephone directory  
serving Dakota City: Upon agreement of all Commissioners, a hearing  
was scheduled for January 23, 2013, at 1:30 p.m. in the Commission  
Hearing Room, Lincoln. Commissioner Anne Boyle was appointed as Hear-  
ing Officer.

B-1812 In the Matter of Haleel Medical Transportation, Omaha,  
Supp. 1 seeking authority as a common carrier in Nebraska intra-  
state commerce in the transportation of passengers by van  
in open class service between points in Sarpy, Washington, Dodge, and  
Saunders counties, and points within Sarpy, Washington, Dodge, and  
Saunders counties, 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 Designa-  
tion: Yes: Motion made by Commissioner Tim Schram, seconded by Commis-  
sioner 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.

TRANSPORTATION DEPARTMENT (Cont.)

B-1818 In the Matter of Casino Cab Company, LLC, Council Bluffs, Iowa, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers between points by taxi in Douglas and Sarpy counties over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Upon agreement of all Commissioners, a hearing was scheduled for March 26, 2013, at 1:00 p.m. and March 27, 2013, and March 28, 2013, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Anne Boyle presiding as Hearing Officer.

MCC-3180 In the Matter of Mark Breiner, Director, Nebraska Public Service Commission, vs. Limousine Services, LLC, Omaha: Upon agreement of all Commissioners, a hearing was scheduled for January 8, 2013, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Tim Schram 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 decreased to \$1.06 per mile and the Tariff 22 fuel surcharge to \$7.08 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich provided an update on the financial status of the department.

GRAIN WAREHOUSE DEPARTMENT

GW-615 In the Matter of the attached list of 4th quarter grain etal warehouse license renewal applications: John Fecht discussed the completed grain warehouse license renewal applications.

GW-2186 In the Matter of Green Plains Grain Company, LLC, St. etal Edward, NE seeking a \$25,000.00 deductible in its stock insurance: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the requested \$25,000.00 deductible on stock insurance. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

Grain Dealer Division

GD-14 In the Matter of the attached list of 4th quarter grain  
etal dealer license renewal applications: John Fecht discussed  
the completed grain dealer license renewal applications.

GENERAL ADMINISTRATION

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

AS Central Services-AS Materiel	\$	911.54
AS Central Services-AS Personnel		2,879.92
Nebraska Relay Service		43,788.38
TechDepot		772.55
Thomson Reuters		1,080.95
University of Nebraska Lincoln (3 <sup>rd</sup> Quarter)		9,424.25
University of Nebraska Lincoln(4th Quarter)		9,424.25
Gerald Vap		836.98

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to authorize Kent Pribyl to travel to Clay Center, Kansas December 18, 2012 to perform a modular housing unit factory inspection of Wardcraft Homes Inc. with all expenses, including time, to be paid by Wardcraft Homes Inc. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to authorize Commissioners Anne Boyle, Rod Johnson, and Tim Schram to travel to and attend the Mid-American Regulatory Conference (MARC) to be held in Austin, Texas from January 10-13, 2013 with all expenses to be paid by MARC. 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 Anne Boyle, to approve the Deputy Director's recommendation to authorize employees to carry over earned, but unused, vacation time to calendar year 2013. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Deputy Director's recommendation to ratify the Budget Modification relating to the Major Oil Pipeline Siting Program for FY-2014 and FY-2015. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:40 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Gerald Vap and Tim Schram present. The next regularly scheduled meeting will be held on January 8, 2013 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 7, 2013.

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Chair man

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Deputy Director