

Chair Anne Boyle 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. Chair Boyle 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 January 22, 2013 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 29, 2013 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, January 29, 2013

1:30 Commission Hearing Room, Lincoln.
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 pre-
siding as Hearing Officer.

2:00 Commission Hearing Room, Lincoln.
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]. Commissioner Frank Landis pre-
siding as Hearing Officer.

Monday, February 11, 2013

10:00 Commission Hearing Room, Lincoln
E911 Advisory Board Meeting

COMMUNICATIONS DEPARTMENT

C-4150/ In the Matter of the Petition of TracFone Wireless, Inc.,
NUSF-76 Miami, Florida, seeking designation as an Eligible Telecom-
munications Carrier in the State of Nebraska for a limited
purpose of offering lifelink and link up service to qualified house-
holds. Commissioner Frank Landis presiding as Hearing Officer: Motion
made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap,
to enter an order withdrawing the application. Motion passed with Com-
missioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4575 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the statewide Telecommunications Relay System (TRS) to be effective July 1, 2013, in the State of Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order opening the docket and scheduling a hearing for March 5, 2013, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Tim Schram was appointed as Hearing Officer.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter orders granting applications E-2332 thru E-2334. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2332 In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Boone County.

E-2333 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Buffalo County.

E-2334 In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Boone County.

Gene Hand discussed plans for the Broadband Conference in Kearney on October 16 and 17, 2013.

Gene Hand reported that the Wireline Competition Bureau Chief order DA 12-1777 was published in the Federal Register on January 28, 2013.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-37.282 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. IDT America Corporation, Respondent(s): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis to enter an order dismissing the Complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-57 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Telehealth Program: Sue Vanicek informed the Commission that a letter was received from the Nebraska Hospital Association seeking additional non-recurring installation charges for three NSTN sites and approval was granted.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-76/ In the Matter of the Petition of Tracfone Wireless, Inc.,
C-4150 Miami, Florida, seeking designation as an Eligible Telecommunications Carrier in the State of Nebraska, for the limited purpose of offering Lifeline and Link-up services to qualified households: This matter was addressed on the Communications Department agenda.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to levy late fees against FiberComm, LC, Hershey Cooperative Telephone Company, Telephone Systems of Nebraska and Unite Private Networks and to open Complaints against AccessLine Communications Corporation, IBFA/Farm Bureau Connection and IDT America Corporation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

Laura Demman reported on recent Nebraska Energy Assistance Network (NEAN) activities.

RULES AND 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. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order releasing a third set of proposed rules, seeking comments due March 1, 2013, and scheduling a hearing for March 19, 2013 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F fuel surcharge was increased to \$1.08 per mile and the Tariff 22 fuel surcharge increased to \$7.32 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GD-2990 In the Matter of the Application of Pennington Seed, Inc.,
Sidney, seeking authority as a grain dealer pursuant to
Neb. Rev. Stat. Section 75-903 (Reissue 1996): Motion made by Commis-
sioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an
order granting the grain dealer license. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

GENERAL ADMINISTRATION

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

AS-Central Services-Network Services	\$	2,482.27
University of Nebraska-Broadband Planning		73,149.60

Motion made by Commissioner Tim Schram, seconded by Commis-
sioner Frank Landis, to approve the Executive Director's recommenda-
tion to authorize Mark Luttich to travel to and attend the National
Fire Protection Association (NFPA) Standard on Recreational Vehicles
(NFPA 1192) code development meeting to be held in Tempe, Arizona,
from March 25-28, 2013 with expenses to be split between NFPA and the
Recreational Vehicle Program. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:12 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 February 12, 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 February 11, 2013.

Chair

Executive Director