

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 March 5, 2013 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held March 12, 2013 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, March 12, 2013:

- 1:30 Commission Hearing Room, Lincoln, Workshop.
Commissioner Frank Landis presiding as Hearing Officer.
- NUSF-77, In the Matter of the Petition of the Nebraska Telecommuni-
PO #7 cations Association for investigation and review of pro-
cessses and procedures regarding the Nebraska Universal
Service Fund.
- NUSF-69 In the Matter of the Nebraska Public Service Commission, on
its own motion, seeking to implement policies and proce-
dures related to providing dedicated universal service
support for wireless telecommunications services.
- NUSF-26 In the Matter of the Nebraska Public Service Commission, on
its own motion, seeking to establish a long-term universal
service funding mechanism.

COMMUNICATIONS DEPARTMENT

- C-3206 In the Matter of the Commission, on its own motion, to
administer the Nebraska Internet Enhancement Fund: Motion
made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson,
to enter an order authorizing payment of grant funds. Motion passed
with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram
and Jerry Vap voting AYE.
- C-4469 In the Matter of the Application of Nebraska Technology &
Telecommunications, Inc., Omaha, seeking approval for
mediation of issues arising in negotiations with Windstream Nebraska,
Inc., Little Rock, Arkansas: Motion made by Commissioner Frank Landis,
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.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders approving applications C-4581 and C-4582. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4581 In the Matter of the Application of Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska, Mound, Minnesota, seeking approval of an Amendment to the Interconnection Agreement with USCOC Nebraska/Kansas, LLC, Chicago, Illinois, previously approved in Docket C-2896.

C-4582 In the Matter of the Application of Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska, Mound, Minnesota, seeking approval of an Amendment to the Interconnection Agreement with United States Cellular Corporation, Chicago, Illinois, previously approved in Docket C-3315.

E-2343 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, 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-4570/
NUSF-87 In the Matter of the Application of Nexus Communications, Inc., Columbus, Ohio, for designation as an Eligible Telecommunications Carrier pursuant to 47 U.S.C. 214 € for Low Income Support only. Commissioner Rod Johnson presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's order was entered March 11, 2013 setting a procedural schedule and scheduling a hearing for May 14, 2013, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

C-4571/
NUSF-88 In the Matter of the Application of Telrite Corporation d/b/a Life for Designation Wireless as an Eligible Telecommunications Carrier in the State of Nebraska for the limited purpose of offering wireless lifeline service to qualified households (low income only). Commissioner Rod Johnson presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's order was entered March 11, 2013 setting a procedural schedule and scheduling a hearing for May 7, 2013, at 2:00 p.m. in the Commission Hearing Room, Lincoln.

Gene Hand reported on recent Broadband Mapping/Planning Grant activities.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand reported there were no Telecommunications Relay Surcharge (TRS) late surcharge remitters for January, 2013, due to the Commission by March 4, 2013.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-042.10 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: Buffalo County: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving the funding request. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
285 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. AccessLine Communications 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.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Protective Orders for Dockets NUSF-77.08 thru 77.23. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Frank Landis presiding as Hearing Officer:

NUSF-77.08 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Cambridge Telephone Company.

NUSF-77.09 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from CenturyLink.

NUSF-77.10 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Citizens Telephone Company of Nebraska d/b/a Frontier Communications of Nebraska.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- NUSF-77.11 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Diode Cable Company.
- NUSF-77.12 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Glenwood Telecommunications.
- NUSF-77.13 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Great Plains Communications, Inc.
- NUSF-77.14 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Nebraska Central Telephone Company.
- NUSF-77.15 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Pierce Telephone Company.
- NUSF-77.16 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Raicom, Inc.
- NUSF-77.17 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Rock County Telephone Company.
- NUSF-77.18 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Three River Communications.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-77.19 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Windstream Communications.

NUSF-77.20 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from N.E. Colorado Cellular d/b/a Viaero.

NUSF-77.21 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from United States Cellular Corporation.

NUSF-77.22 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Eastern Nebraska Telephone Company.

NUSF-77.23 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Consolidated Telco, Inc.

NUSF-87/
C-4570 In the Matter of the Application of Nexus Communications, Inc., Columbus, Ohio for designation as an Eligible Telecommunications Carrier pursuant to 47 U.S.C. § 214 (3) for Low Income Support only. Commissioner Rod Johnson presiding as Hearing Officer: This matter was discussed on the Communications Department agenda.

NUSF-88/
C-4571 In the Matter of the Application of Telrite Corporation d/b/a Life Wireless seeking designation as an Eligible Telecommunications Carrier in the State of Nebraska for the limited purpose of participating in the Lifeline Program. Commissioner Rod Johnson presiding as Hearing Officer: This matter was discussed on the Communications Department agenda.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to adjust the allocation for Fiscal Year 2012-2013 of SourceGas Distribution LLC's cap on direct natural gas assessments to the Public Advocate from \$342,209.21 to \$347,209.21, leaving a balance of \$5,000 for Natural Gas Department consultants: Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Laura Demman reported a total number of 8 consumer complaints and inquiries received at the Commission during February. For each company: Black Hills 4; SourceGas 2; NorthWestern 1; and Other Entities 1.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1705 In the Matter of Champion Homes of Hastings, LLC, Hastings, Supp. 1 seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage that are clients of AMR/Access 2 Care, between points in Adams, Hall, Buffalo, Kearney, Franklin, Webster, Nuckolls, Clay, Hamilton, Fillmore, Seward, Saline, Lancaster, Saunders & Dodge 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 Designation: Yes: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order granting the application as amended. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1821 In the Matter of Driverides, Ltd. Co, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage by customer owned vehicles and provide a service to drive the customer home between points in Lancaster County, and between points within said county, 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 Designation: No. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order dismissing the application and cancelling the hearing scheduled for March 5, 2013 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, Council Bluffs, Iowa, seeking to institute a new service as a common carrier in the transportation of passengers between points by taxi in Douglas and Sarpy counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Commissioner Anne Boyle presiding as Hearing Officer: Mark Breiner informed the Commission that a Hearing Officer's order was entered March 5, 2013, regarding motions to compel.

B-1826 In the Matter of Elite Limo of Omaha, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by luxury or stretch limousine in a 100 mile radius of Omaha, Nebraska, and between points in the 100 mile radius, 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 Designation: No. Commissioner Anne Boyle presiding as Hearing Officer: Mark Breiner informed the Commission that a Hearing Officer's order was entered March 5, 2013 continuing the hearing previously scheduled for May 1, 2013 to May 15, 2013 at 9:30 a.m. in the Commission Hearing Room, Lincoln.

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish the fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F fuel surcharge was decreased to \$1.14 per mile and the Tariff 22 fuel surcharge to \$7.92 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-2173 In the Matter of Emerson Grain, LLC, Emerson, NE: John Fecht discussed a shortage of corn.

GD-2991 In the Matter of Green Plains Trade Group LLC, Omaha, NE seeking authority as a grain dealer pursuant to Neb. Rev. Stat. Section 75-903 (Reissue 1996): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting a 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 Rod Johnson, 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.

GENERAL ADMINISTRATION (Cont.)

Holiday Inn-Sidney	\$	539.00
Thomson Reuters		1,080.95
Voyager		2,101.58
Rod Johnson		783.09

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to execute a contract with GIS Workshop for the creation of an online Nebraska Telephone Assistance Program application form. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Steve Stovall to travel to and attend the Interstate TRS Fund Advisory Council meeting in Baltimore, Maryland from April 15-17, 2013, with all expenses paid by the Interstate TRS Fund. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:28 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 March 19, 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 March 18, 2013.

Chair

Executive Director