

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 November 19, 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 November 25, 2013 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

C-4630 In the Matter of the Joint Application of Business Telecom, Inc., DeltaCom, LLC, and EarthLink Business, LLC, Atlanta, Georgia, seeking approval of certain pro forma intra-company changes: Motion made by Commissioner Jerry Vap, 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-4631 In the Matter of the Application of Correct Solutions, LLC, Ruston, Louisiana, seeking authority to operate as an operator services provider and resale carrier of intrastate interlata and intralata telecommunications services within the State of Nebraska: Motion made by Commissioner Tim Schram, 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-4634 In the Matter of the Joint Application of Elsie Communications, Inc., Dalton Telecommunications, Inc. and Dalton Telephone Company, Inc., Colorado City, Colorado, seeking authority to issue collateralized guaranties of long-term indebtedness: Motion made by Commissioner Jerry Vap, 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-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund: John Burvainis informed the Commission that \$48.25 was transferred from the Competitive Marketplace Fund to the Internet Enhancement Fund on November 19, 2013.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4635 In the Matter of the Joint Application of Keystone-Arthur Telephone Company, Keystone, Glenwood Telephone Membership Corporation and Glenwood Transitory Sub., Inc., Blue Hill, seeking approval of change of controlling interest in Keystone-Arthur Telephone Company: John Burvainis informed the Commission that there will be a company informational meeting for customers on December 5, 2013 at 1:00 p.m. MST at the Platte Valley Inn in Ogallala.

C-4644 In the Matter of Cox Nebraska Telcom, LLC, Omaha, seeking a residential rate increase: John Burvainis notified the Commission of the basic local rate increase proposal from Cox from \$20.45 to \$21.00.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911- In the Matter of the Second Petition of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless for Support from the E911 050.02 Wireless Service Provider (WSP) Grant Program. Commissioner Jerry Vap presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer order entered November 14, 2013, scheduling a planning conference for November 21, 2013 at 10:00 a.m. at the Commission, Lincoln.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders approving applications, in part, in Dockets NUSF-69.13 through NUSF-69.15. 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-69.13 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to implement policies and procedures related to providing dedicated universal service support for wireless telecommunications services: Petition received June 27, 2013 from Pinpoint Wireless, Inc. d/b/a BLAZE Wireless.

NUSF-69.14 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to implement policies and procedures related to providing dedicated universal service support for wireless telecommunications services: Petition received July 1, 2013 from N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless.

NUSF-69.15 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to implement policies and procedures related to providing dedicated universal service support for wireless telecommunications services: Petition received July 1, 2013 from United States Cellular Corporation.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-77 PO #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. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order regarding yearly NEBP caps. 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 enter orders granting applications, in part, in Dockets NUSF-77.08, NUSF-77.11, NUSF-77.13, NUSF-77.14, NUSF-77.17, and NUSF-77.19 through NUSF-77.23; granting application in full in Docket NUSF-77.09 and denying applications in Dockets NUSF-77.10 and NUSF-77.15. 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.

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-77.13 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 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-77.17 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-77.19 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

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.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to levy late-fees against Unite Private Networks, LLC and Verizon Long Distance, LLC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0074 In the Matter of Black Hills/Nebraska Gas Utility Company, LLC d/b/a Black Hills Energy, Omaha, seeking approval of an infrastructure system replacement cost recovery charge, pursuant to Sections 66-1865 and 66-1866 of the State Natural Gas Regulation Act. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter a final order and enter Assessment Orders CA-003 and ES-006. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Laura Demman provided a report on her attendance at the National Association of Regulatory Utilities Conference (NARUC) held in Orlando, Florida from November 16-19, 2013.

TRANSPORTATION DEPARTMENT

B-1226 In the Matter of Greyhound Lines, Inc., Dallas, Texas, seeking authority to revoke their authority in Certificate B-1226: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order revoking the authority in Certificate B-1226. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1494 In the Matter of Midlands Services Link, Inc., Omaha: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order suspending the authority in Certificate B-1494 until November 1, 2014. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1853 In the Matter of Care & Mobility, Inc., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by handicapped-accessible van over irregular routes in Douglas and Sarpy counties. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Clientele is limited to wheelchair-accessible vans to those eligible for the Medicaid waiver for non-emergency transportation. HHS Designation: Yes: Mark Breiner informed the Commission that a video conference was scheduled for January 15, 2014 at 10:00 a.m. in the Nebraska State Office Building, 1313 Farnam, Room 207, Omaha and the Commission Hearing Room, Lincoln. Commissioner Anne Boyle was appointed as Hearing Officer.

B-1856 In the Matter of Easy Access LLC, dba Easy Access Transportation, Omaha, seeking authority as a common carrier in open class service in the transportation of passengers and their baggage in Douglas, Sarpy, Cass & Lancaster 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: Commissioner Tim Schram was appointed as Hearing Officer.

M-14224 In the Matter of Daniels' Moving & Storage of Omaha, LLC, Omaha, seeking authority to acquire, through transfer, the authority granted to Metro Moving Services, Inc., dba A-1 Metro Movers, Omaha, in Certificate M-13207: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application and revoking Certificate M-13207. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-438 In the Matter of Promotion Audio Music Services, York, seeking authority to set its rates and charges: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, 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 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 to \$7.32 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-1154 In the Matter of the Application of Cooperative Producers, Inc., Hastings requesting a \$50,000.00 deductible on its stock insurance: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the \$50,000.00 deductible to its stock insurance. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Grain Dealer Division

GDC-439 In the Matter of John A. Fecht, Director, Warehouse Department of the Nebraska Public Service Commission, Complainant, v. Frontier Trading, Inc., Roff, Oklahoma a/k/a Heartland-Frontier Trading Company and Frontier Trading Company, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order accepting the signed stipulation and to dismiss the complaint. 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.

Mission Critical Partners, Inc. (9/01-09/28/13)	\$	14,296.51
Mission Critical Partners, Inc. (9/01-09/28/13)		29,994.89
Mission Critical Partners, Inc. (9/29-10/26/13)		2,050.00
Mission Critical Partners, Inc. (9/29-10/26/13)		36,959.99
Mission Critical Partners, Inc. (9/29-10/26/13)		13,720.17
Mission Critical Partners, Inc. (9/29-10/26/13)		6,148.50
Mission Critical Partners, Inc. (9/29-10/26/13)		9,142.50
Mission Critical Partners, Inc. (9/29-10/26/13)		4,047.50
Anne Boyle		1,241.65
Gerald Vap		1,062.24

The following invoices were paid between November 14, 2013 and November 22, 2013 and should be ratified:

BroadMap LLC	\$	41,308.74
Sprint Solutions Inc.		48,885.98

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

A.G.N. Sales	\$	333.84
Alternative Hearing		190.86
Beltone		1,230.08
Complete Hearing Solutions		1,130.26
Grand Island Hearing Aid		425.64

GENERAL ADMINISTRATION (Cont.)

Carl A. Johnson	\$	422.19
Sherard Hearing Aid Center		251.93
Sprint Communications		299.99
Talk To Me Technologies		360.00
Teltex Inc.		2,964.35
Weitbrecht Communications		425.15

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to enter into closed session to discuss personnel issues. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission entered into closed session at 10:25 a.m.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 10:28 a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to accept the resignation of Janae Sulzle effective November 30, 2013, to open for hire the position of Receptionist/Administrative Secretary in the General Administration Department, and to extend an offer of employment to a Law Clerk. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:29 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 December 3, 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 December 2, 2013.

Chair

Executive Director