

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 26, 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 December 3, 2013 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following procedures:

Tuesday, December 3, 2013:

- 1:30 Commission Hearing Room, Lincoln.
911-055/
PI-182 In the Matter of the Commission, on its own motion, seeking to investigate and revise wireless tower testing standards and procedures pursuant to the Enhanced Wireless Services Act, Neb. Rev. Stat. 86-442 et seq. Commissioner Jerry Vap presiding as Hearing Officer.
- 1:30 Commission Hearing Room, Lincoln. (Immediately Following)
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. Commissioner Rod Johnson presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in November 2013. She reported there were a total of 34 complaints: 26 - wireline and 8 - wireless. The complaints were categorized as follows: 10 billing, 18 service and 6 miscellaneous issues.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders granting applications AD-561r thru AD-563r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

- AD-561r In the Matter of the Application of Broadnet Teleservices, LLC, Highlands Ranch, Colorado, seeking authority to register the connection of an automatic dialing-announcing device in Aurora, Colorado.

COMMUNICATIONS DEPARTMENT (Cont.)

AD-562r In the Matter of the Application of Victory Phones, LLC, Grand Rapids, Michigan, seeking authority to register the connection of an automatic dialing-announcing device.

AD-563r In the Matter of the Application of Victory Processing, LLC, Grand Rapids, Michigan, seeking authority to register the connection of an automatic dialing-announcing device.

C-3943/
PI-137 In the Matter of the Nebraska Public Service Commission, on its own motion, to participate in a six month review of Qwest's Performance Assurance Plans. Petition filed by Qwest Corporation d/b/a CenturyLink QC for approval of a revised Performance Assurance Plan. Commissioner Anne Boyle presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4632 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking an ICC VoIP Amendment to the Interconnection Agreement with Level 3 Communications LLC, Broomfield, Colorado, previously approved in Docket C-2780: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand reported on the National Association of Regulatory Utility Commissioners (NARUC) Conference held in Orlando, Florida from November 16-20, 2013.

Gene Hand announced the next broadband planning meeting will be held December 12, 2013 from 1:00-3:00 p.m. in the Commission Hearing Room. He also reported the 2014 Broadband Connecting Nebraska Conference is scheduled to be held on October 1-2 at the Younes Conference Center in Kearney.

Gene Hand reported that Cox Nebraska Telecom, LLC has provided notice to the Commission and their customers of a proposed \$0.55 per month increase in the basic local telephone service rate effective March 1, 2014. Public meetings on the proposed rate increase will be held on January 15, 2014, at 2:00 p.m. at the Thompson Alumni Center, 6705 Dodge Street, Omaha, and at 5:00 p.m. at the LaVista Conference Center, 12520 West-port Parkway, LaVista. Protests to the rate increase must be filed with the Commission on or before March 30, 2014.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand reported that the Federal Communications Commission's (FCC) Wireline Competition Bureau published an online map of the study area boundary data received to date. The FCC is asking that revised exchange boundary data be filed by January 13, 2014, to be included in the next FCC map.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911- In the Matter of the Third Petition of N.E. Colorado
050.02 Cellular, Inc., d/b/a Viaero Wireless, for support from the
E-911 Wireless Service Provider (WSP) Grant Program: Commissioner Jerry Vap presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order entered November 22, 2013 adopting a procedural schedule with pre-filed testimony due on January 28, 2014 and scheduling a hearing for February 4, 2014 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order certifying carriers eligible for federal high-cost support for the next funding year. 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-25, In the Matter of the Nebraska Public Service Commission, on
PO #27 its own motion, seeking to establish guidelines for the purpose of certifying the use of federal universal service support.

NUSF-66 In the Matter of the Nebraska Public Service Commission, on
its own motion, seeking to establish guidelines for the purpose of certifying the use of state universal service support.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders denying application in Dockets NUSF-77.12, NUSF-77.16 and NUSF-77.18. 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-77.12 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, Inc.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

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-77.18 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, LLC.

NATURAL GAS DEPARTMENT

NG-0075 In the Matter of the Application of Koch Energy Services, LLC, Wichita, Kansas, seeking authority for a Competitive Natural Gas Provider Certificate in the State of Nebraska: 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.

RULES AND REGULATIONS

Rule and Regulation #191 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 8, Grain Warehouse Rules and Regulations, to update rules regarding grain warehouses, grain dealers and grain moisture meters. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order adopting the first set of proposed rules and issuing a Certificate of Adoption. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1766 In the Matter of Iron Horse Relays, LLC, Lincoln: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order revoking the authority in Certificate B-1766. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 \$1.10 per mile and the Tariff 22 fuel surcharge to \$7.60 per truck per trip.

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.

AS Central Services-Network Services	\$	3,215.16
AS Central Services-Printing		1,229.68
Fred Massing		5,014.00
Anne Boyle		339.00
Tim Schram		422.62

The meeting adjourned at 10:36 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 10, 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 9, 2013.

Chair

Executive Director