

Chairman Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Anne Boyle excused. Chairman Frank Landis 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 25, 2014 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held April 1, 2014 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, April 1, 2014:

1:30                    Commission Hearing Room, Lincoln  
                          Automatic Dialing-Announcing Device Seminar.

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in March 2014. She reported that there were a total of 27 complaints: 21 - wireline and 6 - wireless. The complaints were categorized as follows: 9 billing, 8 service and 10 miscellaneous issues.

C-4665            In the Matter of the Application of Central Telecom Long Distance, Inc., Colorado Springs, Colorado, seeking authority to operate and provide interexchange telecommunications services in the State of Nebraska: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-4664            In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a DC Power Reduction 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 Jerry Vap, to enter an order approving the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4644 In the Matter of Cox Nebraska Telcom, LLC, Omaha, seeking a residential rate increase: Gene Hand informed the Commission that an insufficient number of petitions were received to initiate a review of the proposed rate increase, therefore, a letter was sent April 1, 2014, informing Cox that the rate increase could be implemented as proposed.

Gene Hand reported that there were proposals from both Hamilton Telecommunications and Sprint responding to the Telecommunications Relay Service (TRS) Request for Proposal (RFP) #72617 (03).

Gene Hand reported on the new local urban rate floor benchmark (\$20.46) and its implications relative to local rates in Nebraska.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-050 In the Matter of the First Petition of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless for support from the E-911 Wireless Service Provider (WSP) Grant Program: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order approving the stipulation and payment. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NUSF-91 In the Matter of the Commission, on its own motion, to increase broadband adoption among low-income consumers through the development of a Nebraska broadband telephone assistance program. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap to enter an order seeking further comments due May 13, 2014. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NUSF-92.03 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from Cambridge Telephone Company: Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order entered March 28, 2014, granting Charter Communications' motion to withdraw the petition of formal intervention.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-92.07 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from Glenwood Telephone Company. Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order entered March 28, 2014, granting Charter Communications' motion to withdraw the petition of formal intervention.

NUSF-92.13 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from Raicom, Inc.: Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order entered March 28, 2014, granting Charter Communications' and N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless, motion to withdraw the petition of formal intervention.

NUSF-92.15 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from United States Cellular Corporation: Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order entered March 28, 2014, granting Charter Communications' motion to withdraw petition of formal intervention.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to levy a late-fee against AIO Wireless, LLC, amend the current complaints against TNCI Operating Company-CLEC and TNCI Operating Company-IXC and open a complaint against Clearly Communications. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NATURAL GAS DEPARTMENT

Angela Melton reported a total number of 11 consumer complaints and inquiries received during March. For each company: Black Hills - 3; SourceGas - 5; NorthWestern - 1; and Other Entities - 2.

LEGISLATIVE

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1864 In the Matter of Smiley's, Winslow, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by charter and special party bus between all points in Nebraska. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

B-1866 In the Matter of Russ Bus, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by special party and charter bus state-wide Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Rate Division

BR-451 In the Matter of Smiley's, Winslow, seeking authority to establish its rates and charges: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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 retained at \$1.14 per mile and the Tariff 22 fuel surcharge at \$8.00 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW/GD-2136 In the Matter of John A. Fecht, Director Warehouse Department, Nebraska Public Service Commission v. Pierce Elevator, Inc., Pierce: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order scheduling a claims hearing for June 4, 2014 at 9:00 a.m. at the Pierce County Fairgrounds Pavilion, 622 North Brown Street, Pierce. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. Commissioner Rod Johnson was appointed as Hearing Officer.

GRAIN WAREHOUSE DEPARTMENT

Schedule In the Matter of Fixing Reasonable Storage Rates and  
A & E Charges for Public Grain Warehouses: Motion made by Com-  
Rates missioner Tim Schram, seconded by Commissioner Rod John-  
son, to enter an order scheduling a hearing for May 13,  
2014 at 1:30 p.m. CDT in the Commission Hearing Room, Lincoln. Motion  
passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and  
Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.  
Commissioner Jerry Vap was appointed as Hearing Officer.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commis-  
sioner Rod Johnson, to approve the Executive Director's recommendation  
to approve Commission invoices. Motion passed with Commissioners Rod  
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Com-  
missioner Anne Boyle excused not voting.

Cornhusker State Industries	\$	720.00
University of Nebraska-Bureau of Business Research		9,960.75
Fred Massing		3,372.00
Mission Critical		41,922.50
Kent Pribyl		1,154.63
Tim Schram		799.68

Motion made by Commissioner Tim Schram, seconded by Commis-  
sioner Rod Johnson, to approve the Executive Director's recommendation  
to authorize Kent Pribyl to travel to Clay Center, Kansas, on April 1,  
2014 to perform a modular housing unit factory inspection of Wardcraft  
Homes with all expenses, including time, to be reimbursed to the Com-  
mission by Wardcraft Homes, Inc. Motion passed with Commissioners Rod  
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Com-  
missioner Anne Boyle excused not voting.

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The meeting adjourned at 10:24 a.m. with Commissioners Rod  
Johnson, Frank Landis, Tim Schram and Gerald Vap present and Commis-  
sioner Anne Boyle excused. The next regularly scheduled meeting will  
be held on April 8, 2014 at 10:00 a.m. with an agenda to be available  
in the office of the Executive Director at 10:00 a.m. on April 7,  
2014.

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Chairman

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Executive Director