

Chairman Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. Chairman 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 August 26, 2014 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 3, 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:

Wednesday, September 3, 2014:

11:00 Commission Hearing Room, Lincoln  
B-1859 In the Matter of Ready Transportation, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in Douglas, Sarpy, Cass, and Washington counties, and between points with such 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 presiding as Hearing Officer.

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in August 2014. She reported there were a total of 53 complaints, 40 wireline and 13 wireless. The complaints were categorized as follows: 14 billing, 27 service and 12 miscellaneous issues.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter orders granting applications AD-581r through AD-583r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE:

AD-581r In the Matter of the Application of Connectel, Inc., Fremont, California, seeking authority to register the connection of an automatic dialing-announcing device in Los Angeles, California.

AD-582r In the Matter of the Application of Connectel, Inc., Fremont, California, seeking authority to register the connection of an automatic dialing-announcing device in New York, New York.

COMMUNICATIONS DEPARTMENT (Cont.)

AD-583r In the Matter of the Application of Plainview Telephone Co. Inc. Plainview, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device.

C-4696 In the Matter of the Application of Lanny and Kristin Greenhalgh, Guide Rock, Nebraska, seeking authority to receive telephone service from the Glenwood/Blue Hill exchange of the Glenwood Telephone Company: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, 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-4699 In the Matter of Cozad Telephone Company, Cozad, seeking a residential and business rate increase: Commissioner Jerry Vap was appointed as Hearing Officer.

Gene Hand reported on the Local Number Portability Administrator (LNPA) Request for Proposal (RFP) and the concerns that the selection of a new LNPA may have a disruptive effect on the LNP Enhanced Analytical Platform (LEAP) and the Port Power Surge (Port PS) services used by 9-1-1 operators.

Gene Hand reported on topics that he and Cullen Robbins will be addressing during their presentations at the Broadband Connecting Nebraska Conference to be held on October 1-2, 2014 in Kearney.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order certifying Nebraska carriers for high cost support in Dockets NUSF-25, PO #28 and NUSF-66, PO #28. 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 PO #28 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 federal universal service support.

NUSF-66 PO #28 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order dismissing the Complaints in Dockets NUSF-37.308 and NUSF-37.309. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE:

NUSF-37  
.308 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complaint, v. Time Warner Cable Business, LLC, Respondent(s).

NUSF-37  
.309 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complaint, v. Lattice, Incorporated, Respondent(s).

NUSF-50 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to make adjustments to the universal service fund mechanism established in NUSF-26: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order authorizing payments. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-91 In the Matter of the Commission, on its own motion, seeking to increase broadband adoption among low-income consumers through the development of a Nebraska broadband telephone assistance program. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order holding the proceeding in abeyance for a period of one year. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-92 In the Matter of the Commission, on its own motion, seeking PO #2 to administer the Nebraska Universal Service Fund Broadband PO #3 Program. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter Progression Order #2 adopting Findings and Conclusions and to enter Progression Order #3 establishing the 2015 calendar year support, scheduling the application window starting October 1, 2014 and closing November 26, 2014. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to levy a late-fee against CallCatchers, Inc. and that complaints be opened against Legacy Long Distance International, TNCI Operating Company-IXC and TNCI Operating Company-CLEC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to enter Assessment Orders in Dockets NG-0072.1, NG-0078 and NG-0079. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Rod Johnson presiding as Hearing Officer:

NG-0072.1/ In the Matter of SourceGas Distribution LLC, Golden, Colorado, seeking approval to adjust an infrastructure system replacement cost recovery charge, pursuant to Sections 66-1865 and 66-1866 of the State Natural Gas Regulation Act.  
BE-007  
CA-003

NG-0078/ In the Matter of the Application of SourceGas Distribution LLC, Golden, Colorado, seeking an order authorizing it to put into effect a system safety and integrity rider tariff and a system safety and integrity rider charge.  
BE-005  
CA-003

NG-0079/ In the Matter of the Application of SourceGas Distribution LLC, Golden, Colorado, seeking authority to reflect changed depreciation rates on its Nebraska Books of Account effective May 1, 2014, without impacting existing rates.  
BE-006  
BE-007  
CA-003

Angela Melton reported a total number of 7 consumer complaints and inquiries received during August. For each company: Black Hills - 1; SourceGas - 1; NorthWestern - 1; and Other Entities - 4.

TRANSPORTATION DEPARTMENT

B-1849 In the Matter of Somali Bantu Association of Nebraska, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van over irregular routes in Douglas and Sarpy counties, on the one hand, and on the other hand, points in Nebraska over irregular routes. Commissioner Anne Boyle presiding as Hearing Officer: Mark Breiner informed the Commission that a Hearing Officer order was entered August 28, 2014 scheduling a hearing for September 18-19 2014, at 10:00 a.m. in the Commission Hearing Room, Lincoln.

M-14191 In the Matter of Firefighters on the Move, LLC, Omaha, Supp. 2 seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in Lancaster County and between points in said county on the one hand, and on the other hand, points in Nebraska over irregular routes: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish fuel surcharges in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F surcharge was decreased to \$1.04 per mile and the Tariff 22 surcharge to \$6.88 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW/GD-2136 In the Matter of Pierce Elevator, Inc., Pierce: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order determining claims. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GD-2738 In the Matter of the Application of Helena Chemical Company, Collierville, Tennessee, seeking a waiver of 291 NAC 8 § 003.03 to utilize International Financial Reporting Standards: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the waiver. 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.

AS Materiel	\$	657.38
Fred Massing		1,510.00
Parrish, Blessing & Associates, Inc.		6,000.00
Ken Stadler		1,600.00
Kent Pribyl		646.40
Anne Boyle		806.40
Tim Schram		571.20

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation for the 2015-2016 and 2016-2017 Agency Budget Submission. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation for the 2015-2016 and 2016-2017 Budget Modifications. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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The meeting adjourned at 10:45 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on September 9, 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 September 8, 2014.

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Chairman

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Executive Director