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Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. Chairman Vap 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 3, 2015 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 10, 2015 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

## COMMUNICATIONS DEPARTMENT

C-4622/  
NUSF-90 In the Matter of the Application of i-wireless, LLC, Newport, Kentucky, seeking limited designation as a LifeLine-Only designation as an Eligible Telecommunications Carrier in the State of Nebraska. Commissioner Tim Schram presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer order was entered March 3, 2015, scheduling a hearing for May 12, 2015, at 2:00 p.m. in the Commission Hearing Room, Lincoln.

C-4734/  
NUSF-101 In the Matter of the Application of Skybeam, LLC, Englewood, Colorado, seeking designation as an Eligible Telecommunications Carrier (ETC) for the purpose of participating in the Federal Communication Commission's (FCC) Rural Broadband Experiment program and to offer Lifeline service to qualifying households. Commissioner Frank Landis presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer Order was entered March 5, 2015, granting a motion to amend Skybeam's ETC application.

## TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-1  
P.O. #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Deltathree, Inc.: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to grant Deltathree, Inc.'s request for an extension to May 31, 2015, to submit the NUSF Remittance Audit that was due December 31, 2014. Motion passed with Commissioners Crystal Rhoades, 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 in NUSF-37.303, NUSF-37.311 and NUSF-37.312 approving the stipulations and cancelling the hearing on March 10, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Frank Landis presiding as Hearing Officer:

## TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

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

NUSF-37  
.311 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. TNCI Operating Company, LLC (IXC).

NUSF-37  
.312 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. TNCI Operating Company, LLC (CLEC).

NUSF-90/  
C-4622 In the Matter of the Application of i-wireless, LLC, Newport, Kentucky, seeking limited designation as a Lifeline-Only Eligible Telecommunications Carrier in the State of Nebraska. Commissioner Tim Schram presiding as Hearing Officer: This matter was addressed on the Communications Department's agenda.

NUSF-92.19 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 CenturyLink. Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer Order entered March 5, 2015, granting Cox Nebraska Telcom's motion to withdraw formal intervention.

NUSF-92.37 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 Company. Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer Order entered March 5, 2015, granting Consolidated Telco's motion to withdraw formal intervention.

NUSF-101/  
C-4734 In the Matter of the Application of Skybeam, LLC, Englewood, Colorado, seeking designation as an Eligible Telecommunications Carrier (ETC) for the purpose of participating in the Federal Communication Commission's (FCC) rural Broadband Experiment Program and to offer Lifeline service to qualifying households. Commissioner Frank Landis presiding as Hearing Officer: This matter was addressed on the Communications Department's agenda.

## NATURAL GAS DEPARTMENT

FC-1364 In the Matter of Jerel Ross d/b/a Yap Auction, Grand Island v. NorthWestern Energy, Sioux Falls, South Dakota, alleging unsubstantiated charges and denial of service. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order dismissing the complaint. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Crystal Rhoades and Rod Johnson voting NAY.

NG-0078.1 In the Matter of the Application of SourceGas Distribution BE-004 LLC, Golden, Colorado, seeking authority to put into effect a system safety and integrity rider tariff and safety and integrity rider charge for recovery of 2015 eligible costs. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter Assessment Order BE-004. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Angela Melton reported a total number of 13 consumer complaints and inquiries received during February. For each company: Black Hills - 3; SourceGas - 5; NorthWestern - 1; and Other Entities - 4.

## LEGISLATIVE

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to ratify the Commission position regarding a proposed amendment to LB 629 [2015]. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

## TRANSPORTATION DEPARTMENT

B-1792 In the Matter of Todorovich Management dba Starsky's, Omaha, seeking revocation and cancellation of the common carrier certificate in B-1792: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an order revoking the authority in Certificate B-1792: Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1835 In the Matter of Pardy Bus, Kennard, seeking revocation and cancellation of the common carrier certificate in B-1835: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order revoking the authority in Certificate B-1835. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

## TRANSPORTATION DEPARTMENT (Cont.)

B-1878 In the Matter of Harmony Transportation Services, Omaha, seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of passengers by van in Douglas, Sarpy, Lancaster and Saunders Counties and between points in said 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 Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order granting the application as amended. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1892 In the Matter of 4 Pax LLC dba Caliber Patient Care, Omaha, seeking authority as a common carrier in open class service in the transportation of passengers by van between points in Douglas and Sarpy 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: No: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-473 In the Matter of 4 Pax LLC dba Caliber Patient Care, Omaha, seeking authority to establish its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Crystal Rhoades, 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 surcharges in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F surcharge was retained at \$.68 per mile and the Tariff 22 surcharge at \$3.28 per truck per trip.

## GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-3001 In the Matter of the Application of Knabe Ag Enterprises, LLC, Wymore, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2009): Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the Grain Dealer License. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Attorney General	\$	8,166.00
Fred Massing		2,226.00
Voyager		1,703.59
Shanicee Knutson		1,658.40
Rod Johnson		796.95

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 Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission entered into closed session at 10:19 a.m.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to return to open session. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 10:21 a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to ratify the hiring of Jamie Reyes as Legal Counsel for the Commission Effective April 6, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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The meeting adjourned at 10:22 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held March 17, 2015 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 16, 2015.

  
Chairman

  
Executive Director

