

April 7, 2015

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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 31, 2015 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held April 7, 2015 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 7, 2015:

11:00 Commission Hearing Room, Lincoln  
MCC-3188 In the Matter of Mark J. Breiner, Director, Motor Transportation Department, Complainant, vs. Eppley Transportation Services, Ameristar Tours, LLC, Big O's Party Bus, LLC, Caring People Sudan, Denver Coach, Inc., Lawrence Enterprises, Inc., Qualified Developments, Inc., South Sioux Taxi, Teenie Weenie Buses, LLC, Tree City Cab Company (Allgood), Movers, Inc., Scottsbluff Transfer & Storage, Select Van & Storage Company and Vaughn's Moving Company, Inc., Respondents. Commissioner Tim Schram presiding as Hearing Officer.

## COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in March 2015. She reported that there were a total of 37 complaints: 24 - wireline and 13 - wireless. The complaints were categorized as follows: 18 billing, 14 service and 5 miscellaneous issues.

C-4746 In the Matter of the Application of McGraw Communications, Inc., New York, New York, seeking authority to change its name to BCM One, Inc: 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.

GN 12-268 Spectrum through Incentive Auctions; Policies Regarding  
WT 12-269 Mobile Spectrum Holdings: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to approve sending an ex parte letter in support of the Nation Association of State Utility Consumer Advocates (NASUCA) comments. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

## COMMUNICATIONS DEPARTMENT (Cont.)

E-2391 In the Matter of the Application of Custer Public Power District, Broken Bow, seeking authority to construct, operate and maintain an electric transmission line in Custer County: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4685/ In the Matter of the Application of TAG Mobile, LLC,  
NUSF-97 Carrollton, Texas, seeking authority for designation as a non-rural wireless Eligible Telecommunications Carrier. Commissioner Tim Schram presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer Order was entered April 3, 2015, denying the motion for reconsideration.

## TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-97/ In the Matter of the Application of TAG Mobile, LLC,  
C-4685 Carrollton, Texas, seeking authority for designation as a non-rural wireless Eligible Telecommunications Carrier. Commissioner Tim Schram presiding as Hearing Officer: This matter was addressed on the Communications Department's agenda.

Sue Vanicek discussed Wireless E-911 Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to open a complaint against Bandwidth.com, Inc. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek discussed Nebraska USF Late-Filed Carrier Remittances: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to levy late fees against Cincinnati Bell Any Distance, Inc., Silv Communications, Inc. and Skybeam Acquisition Corporation and that complaints be opened against Iloka, Inc., TDS Metrocom, Bandwidth.com, Inc., BYO Wireless, LLC and Legacy Long Distance International. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

## NATURAL GAS DEPARTMENT

Angela Melton reported a total number of 8 consumer complaints and inquiries received at the Commission during March. For each company: Black Hills - 2; SourceGas - 4; NorthWestern - 0; and Other Entities - 2.

## LEGISLATIVE

Angela Melton discussed pending legislation.

## TRANSPORTATION DEPARTMENT

B-1649 In the Matter of AmeriStar Tours, LLC, Scottsbluff, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1649 until April 1, 2016: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the suspension until April 1, 2016. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1788 In the Matter of Party Express Bus, LLC, Omaha, seeking Supp. 1 authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by limousine between points in Douglas County and a 75-mile radius of Douglas County. 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 Rod Johnson, to enter an order dismissing the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1874 In the Matter of Yellow Cab Beatrice, Beatrice, seeking to acquire, through transfer, the authority granted to Fairbury Taxi, Fairbury, in Certificate B-1668: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order clarifying the certificate. Motion passed with Commissioners Crystal Rhoades, 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 surcharges in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F surcharge was retained at \$.56 per mile and the Tariff 22 surcharge at \$2.32 per truck per trip.

## 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 Frank  
Landis, to enter an order scheduling a hearing for May 19,  
2015 at 1:30 p.m. CDT in the Commission Hearing Room, Lincoln. Motion  
passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis,  
Tim Schram and Jerry Vap voting AYE. Commissioner Tim Schram was  
appointed as Hearing Officer.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, 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.

Auditor's Office	\$	664.00
Latimer Reporting		418.75
Fred Massing		1,065.00
Kent Pribyl		1,029.99
Rod Johnson		795.23

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

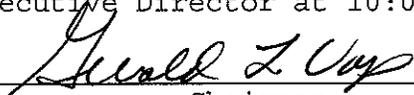
Alternative Hearing	\$	1,002.31
Audiology & Hearing Center		107.00
Harris Communications		1,429.70
Carl Johnson		512.00
Larry Kent & Associates, Inc.		344.44
Tami Richardson-Nelson		588.89
Sprint Communications		599.98
Thomas Tambling		449.18
Teltex, Inc.		677.95
The Hearing Clinic, Inc.		336.90
Western Hearing Solutions		307.25
White's Hearing Aid Specialists		6,541.75

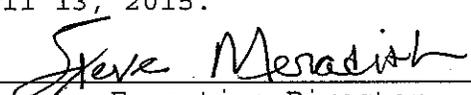
Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to purchase the Liberty Digital Court Recorder Solution from JCG Technologies, Scottsdale, Arizona at a cost of \$4,920.00 to be used in the Commission Hearing Room. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to purchase a Dell Latitude 14 5000 Series CTO laptop at a cost of \$945.00 to be used in the Commission Hearing Room. 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 10:17 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held April 14, 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 April 13, 2015.

  
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 Chairman

  
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 Executive Director