

Vice Chairman Tim Schram called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram present and Commissioner Jerry Vap excused. Vice Chairman Schram invited the public to address the Commission and announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. Vice Chairman Schram announced that there will be no Commission Meeting next week. The next meeting will be held on June 16, 2015.

GENERAL ADMINISTRATION

Notice was duly published May 26, 2015 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held June 2, 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, June 2, 2015:

1:30 Commission Hearing Room, Lincoln
NUSF-4 In the Matter of the Commission, on its own motion, seeking
PO #21 to determine the level of the fund necessary to carry out
the Nebraska Telecommunications Universal Service Fund Act
beginning July 1, 2015. Commissioner Frank Landis presiding
as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in May 2015. She reported that there were a total of 31 complaints: 23 wireline and 8 wireless. The complaints were categorized as follows: 10 billing, 16 service and 5 miscellaneous issues.

C-4734/ In the Matter of the Application of Skybeam, LLC, Engle-
NUSF-101 wood, Colorado, seeking designation as an Eligible Tele-
communications Carrier (ETC) for the purpose of participat-
ing in the Federal Communication Commission's (FCC) Rural Broadband
Experiment program and to offer Lifeline service to qualifying house-
holds. Commissioner Frank Landis presiding as Hearing Officer; Motion
made by Commissioner Frank Landis, seconded by Commissioner Rod John-
son, to enter an order granting the application. Motion passed with
Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE,
Commissioner Crystal Rhoades voting NAY, and Commissioner Jerry Vap
excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order approving the funding. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

911-042.10 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: Buffalo County

911-042.13 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: Merrick County

911-042.23 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: Perkins County

911-042.25 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: Keith County

911-042.35 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: Burt County

911-042.69 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: Nance County

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 Frank Landis, seconded by Commissioner Rod Johnson, to grant Deltathree, Inc.'s request for a second extension to August 31, 2015, to submit the NUSF Remittance Audit, originally due December 31, 2014. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Sue Vanicek informed the Commission that a Hearing Officer Order was entered May 29, 2015, setting a Procedural Schedule. Pre-filed testimony is due June 16, 2015, reply pre-filed testimony is due June 29, 2015, and a hearing is scheduled for July 6, 2015 at 2:00 p.m. in the Commission Hearing Room, Lincoln. Commissioner Frank Landis presiding as Hearing Officer.

NUSF-92.17 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 Arapahoe Telephone Company

NUSF-92.18 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

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:

NUSF-92.21 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 Consolidated Companies

NUSF-92.23 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 Eastern Nebraska Telephone Company

NUSF-92.24 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 Network Services

NUSF-92.25 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 Telecommunications

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- NUSF-92.26 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 Great Plains Communication
- NUSF-92.27 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 Hamilton Telephone Company
- NUSF-92.28 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 K & M Telephone
- NUSF-92.29 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 Mobius Communications
- NUSF-92.30 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 Nebraska Central Telephone
- NUSF-92.32 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 Pinpoint Communications
- NUSF-92.33 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 Pinpoint Wireless
- NUSF-92.35 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.
- NUSF-92.36 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 Rock County Telephone

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 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 US Cellular Corporation
- NUSF-92.38 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 N.E. Colorado Cellular, Inc., dba Viaero Wireless
- NUSF-92.39 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 Windstream
- NUSF-92.40 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 Inventive Wireless of Nebraska, LLC dba Vistabeam
- 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 receiving Federal Universal Service Support and to participate in the Federal Communications Commission's (FCC) Rural Broadband Experiment Program: Commissioner Frank Landis presiding as Hearing Officer. This matter was addressed on the Communications Department's agenda.

Sue Vanicek discussed NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to levy late fees against Big River Telephone Company, LLC; AccessLine Communications Corp., Bandwidth.com, Inc., KDDI America, Inc.; Nebraska Technology and Telecommunications, Inc., (CLEC and IXC) and that a complaint be opened against Telmate, LLC. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1829 In the Matter of Golden Plains Transportation Services, Supp. 1 Inc., dba GPS Transportation, Lincoln, Nebraska, seeking to expand its authority as a common carrier of passengers by vans by the removal of its restriction against point-to-point transportation in Lancaster County, and by the amendment of language related to the use of sedans by an open class carrier in an area where a single taxi authority is operating. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Mark Breiner informed the Commission that a Hearing Officer Order was entered May 27, 2015, granting the motion to strike. Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, Commissioner Crystal Rhoades voting NAY, and Commissioner Jerry Vap excused not voting.

B-1893 In the Matter of T & T Be Responsible, Shelby, Nebraska, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus statewide Nebraska. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order dismissing the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

B-1897 In the Matter of Stutheit Transportation Services, Inc., Papillion, 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. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Transport clients in wheelchair accessible vans. HHS Designation: No: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order Nunc Pro Tunc. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

B-1898 In the Matter of LeFleur Transportation of Tupelo, Inc., Ridgeland, Mississippi, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers by van under contract with StarTran between points in Lancaster County, and between points in Lancaster County, 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 Frank Landis, seconded by Commissioner Rod Johnson, to enter an order dismissing the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

B-1903 In the Matter of Leisure Bus Transportation, Ceresco, Nebraska, seeking to acquire, through transfer, the authority held by Leisure Bus Transportation, Lincoln, Nebraska, in Certificate B-1793: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application and revoking Certificate B-1793. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

BR-482 In the Matter of The Happy Bus, Alma, seeking authority to establish its rates and charge: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F fuel was retained at \$.68 per mile and the Tariff 22 at \$3.28 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

Schedule A & E Rates In the Matter of fixing reasonable storage rates and charges for public grain warehouses: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order setting the A & E storage rates for the 2015-2016 year. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

GW-2127 In the Matter of the Application of The Scoular Company, etal Omaha, Nebraska, requesting a \$25,000 deductible on its stock insurance: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting authority to increase its insurance deductible. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Deputy Director's recommendation to approve Commission invoices. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

GENERAL ADMINISTRATION (Cont.)

Dell	\$	730.00
Dell		730.00
Dell		730.00
Dell		1,079.00
Dell		1,460.00
Fred Massing		2,345.00
Ken Stadler		1,680.00
United States Post Office		1,270.00
Crystal Rhoades		1,276.60
Tim Schram		625.60

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to renew the Commission's Agreement with Ted Burkey for the provision of services relating to the inspection of recreational vehicle factories in the states of California, Indiana, Kansas, Michigan and Oregon effective July 1, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Deputy Director's recommendation to renew the Commission's Agreement with Ted Burkey for the purposes of recreational vehicle plan review effective July 1, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Deputy Director's recommendation to request an Attorney General's opinion regarding Nebraska Legislative Bill 629. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to enter into closed session to discuss personnel issues. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting. The Commission entered into closed session at 10:25 a.m.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to return to open session. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting. The Commission returned to open session at 10:29 a.m.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to accept the resignation of an employee in the NTIPS Department effective June 12, 2015 and open for hire the position of Administrative Assistant/NTAP Specialist. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Deputy Director's recommendation to accept the resignation of an employee in the General Administration Department effective July 31, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

The meeting adjourned at 10:31 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram present and Commissioner Gerald Vap excused. The next regularly scheduled meeting will be held June 16, 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 June 15, 2015.



Vice Chairman



Deputy Director

