

October 6, 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 announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room and invited the public to address the Commission. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published September 29, 2015 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held October 6, 2015 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Gene Hand informed the Commission that there were 57 complaints received in September 2015: 51 - wireline and 6 - wireless. The complaints were categorized as follows: 10 billing, 26 service and 15 miscellaneous issues.

Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter orders granting Applications AD-599r and AD-600r. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AD-599r In the Matter of the Application of First Data Resources, LLC, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device in Omaha, Nebraska.

AD-600r In the Matter of the Application of First Data Resources, LLC, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device in Chandler, Arizona.

C-4774 In the Matter of the Joint Application of Charter Fiberlink-Nebraska, LLC, St. Louis, Missouri, Time Warner Cable Information Services (Nebraska), LLC, and Time Warner Cable Business LLC, New York, New York, seeking approval of a transfer of control, a financing arrangement and related transactions: Motion made by Commissioner Frank Landis, 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.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4782 In the Matter of the Application of Windstream KDL, Inc., Little Rock, Arkansas, seeking approval of a name change to Windstream KDL, LLC: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, 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-4784 In the Matter of the Application of ACN Communication Services, Inc., Concord, North Carolina, seeking approval of a name change to ACN Communication Services, LLC: 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.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter orders approving Applications C-4781 and C-4183. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4781 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of an DC Power Measurement Amendment to the Interconnection Agreement with Level 3 Communications, LLC, Broomfield, Colorado, previously approved in Docket C-2780.

C-4783 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an Interconnection Agreement with AT&T Corp., Bedminster, New Jersey.

Gene Hand reported that President Barack Obama designated October as Cyber Security Awareness Month.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-018/
PI-117 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish audit requirements related to the Wireless Enhanced 911 Fund: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting, in part and denying, in part, audit waiver requests for the audits due December 31, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-33/ In the Matter of the Nebraska Public Service Commission, on
PI-68 its own motion, seeking to investigate the audit require-
ments related to the Nebraska Universal Service Fund:

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving, in part and denying, in part audit waiver requests for the audits due December 31, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37. In the Matter of Sue Vanicek Director of the Nebraska Tele-
321 communications Infrastructure and Public Safety Department
of the Nebraska Public Service Commissions, Complainant, v.
Telmate, LLC, Respondent(s): Motion made by Commissioner Tim Schram,
seconded by Commissioner Rod Johnson, to enter an order dismissing the
complaint. Motion passed with Commissioners Crystal Rhoades, Rod
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-92.25 In the Matter of the Nebraska Public Service Commission, on
its own motion, seeking to administer the Nebraska Univer-
sal Service Fund's Broadband Program; application to the Nebraska
Broadband Program Received from Glenwood Telecommunications, Inc.:
Motion made by Commissioner Frank Landis, seconded by Commissioner Rod
Johnson, to enter an order denying the motion for reconsideration.
Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0078.2 In the Matter of the Application of SourceGas Distribution
LLC, Golden, Colorado, seeking an order authorizing it to
increase the system safety and integrity rider charge. Commissioner
Rod Johnson presiding as Hearing Officer: Motion made by Commissioner
Frank Landis, seconded by Commissioner Rod Johnson, to enter a notice
of assessment. Motion passed with Commissioners Crystal Rhoades, Rod
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0086 In the Matter of the Application of Black Hills/Nebraska
Gas Utility Company, LLC, d/b/a Black Hills Energy, seeking
approval of its cost of Service Gas Hedge Agreement with Black Hills
utility holdings, Inc. Commissioner Frank Landis presiding as Hearing
Officer: Motion made by Commissioner Frank Landis, seconded by Commis-
sioner Tim Schram, to enter a Protective Order and a notice of Assess-
ment Order. Motion passed with Commissioners Crystal Rhoades, Rod
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Nichole Mulcahy reported a total number of 6 consumer com-
plaints and inquiries received during September. For each company:
Black Hills - 0; SourceGas - 3; NorthWestern - 1; and Other Entities -
2.

Commissioner Frank Landis left the Commission Hearing Room.

TRANSPORTATION DEPARTMENT

PI-201 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate the blocking of railroad crossings in Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order opening an investigation. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting. Commissioner Tim Schram was appointed as Hearing Officer.

TR-202 In the Matter of E Z Cabs, Inc., Sioux City, Iowa, seeking authority to establish its rates and charges: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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 fuel surcharge was retained at \$.54 per mile and the Tariff 22 at \$1.96 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-985 In the Matter of the Application of All Points Cooperative, Gothenburg, Nebraska, requesting a \$25,000 deductible on its stock insurance: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting authority to increase its insurance deductible. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

GW-2160 In the Matter of Central Valley Ag, York, Nebraska: John Fecht informed the Commission of their shortage of oats and soybeans.

Commissioner Frank Landis re-entered the Commission Hearing Room.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, 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.

GENERAL ADMINISTRATION (Cont.)

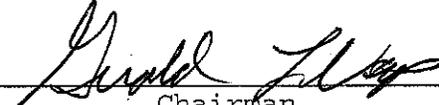
Ted Burkey	\$	2,180.50
Fred Massing		2,230.00
Ken Stadler		1,207.50
Mark Luttich		594.70
Kent Pribyl		968.76
Tim Schram		625.60

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to go into closed session to discuss litigation. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission went into closed session at 10:17 a.m.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, 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 Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to file a response to the State Claims Board. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 October 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 October 13, 2015.



 Chairman



 Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
