

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 public comments were received. Chairman Vap announced that the next meeting will be held on November 23, 2015.

## GENERAL ADMINISTRATION

Notice was duly published November 10, 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 November 17, 2015 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, November 17, 2015:

1:30 Commission Hearing Room, Lincoln  
911-002 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund. Commissioner Gerald Vap presiding as Hearing Officer.

Wednesday, November 18, 2015:

10:00 Commission Hearing Room, Lincoln  
TNC-2 In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies. Commissioner Tim Schram presiding as Hearing Officer.

## COMMUNICATIONS DEPARTMENT

C-4795 In the Matter of the Application of WiMacTel, Inc., Omaha, seeking approval of a name change to WiMacTel, Inc. d/b/a Intellicall Operator Services: 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.

C-4799 In the Matter of the Application of Alliance Connect, LLC, West Des Moines, Iowa, LightEdge Solutions, LLC, and LH Telecom, Inc., Des Moines, Iowa, seeking approval to transfer certain customers and assets: 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.

## COMMUNICATIONS DEPARTMENT (Cont.)

C-4798 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a Power Reduction Amendment to the Interconnection Agreement with CenturyLink Communications, LLC, Arlington, Virginia, previously approved in Docket C-3286: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRS-18 In the Matter of Gene Hand, Director of the Communications Department of the Nebraska Public Service Commission, Complainant, v. Enteleget Solutions, Inc., Charlotte, North Carolina, Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand reported on the National Association of Regulatory Utility Commissioners (NARUC) Annual Meeting held November 8-11, 2015, in Austin, Texas.

Gene Hand reported Allo has filed an application (C-4804) requesting the transfer of a majority of the Membership Interests of Allo to Nelnet.

## TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-1 In the Matter of the Commission, on its own motion, seeking  
PO #5 to establish guidelines for administration of the Nebraska Universal Service Fund: Consolidated Telco, Inc., Consolidated Telecom, Inc., Consolidated Telephone Company, Curtis Telephone Company and Pierce Telephone Company: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to accept Agreed Upon Procedures language as presented. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-1 In the Matter of the Commission, on its own motion, seeking  
PO #7 to establish guidelines for administration of the Nebraska Universal Service Fund: Consolidated Telco, Inc., Consolidated Telecom, Inc. and Pierce Telephone Company: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to accept Agreed Upon Procedures language as presented. 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-37. In the Matter of Sue Vanicek Director of the Nebraska  
317 Telecommunications Infrastructure and Public Safety Depart-  
ment of the Nebraska Public Service Commission, Complain-  
ant, v. Legacy Long Distance International, Respondent(s): Motion  
made by Commissioner Tim Schram, seconded by Commissioner Frank  
Landis, 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-99 In the Matter of the Nebraska Public Service Commission, on  
its own motion, to administer the Universal Service Fund  
High-Cost Program, and,

NUSF-50 In the Matter of the Nebraska Public Service Commission, on  
its own motion, seeking to make adjustments to the univer-  
sal service fund mechanism established, in NUSF-26. Commis-  
sioner Frank Landis presiding as Hearing Officer: Motion made by  
Commissioner Frank Landis, seconded by Commissioner Tim Schram, to  
enter an order on reconsideration and setting hearing. Motion passed  
with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim  
Schram and Jerry Vap voting AYE. Comments are due on December 17,  
2015, with pre-filed testimony due January 12, 2016. A hearing was  
scheduled for January 26, 2016, at 1:30 p.m. in the Commission Hearing  
Room, Lincoln.

Sue Vanicek recommended that the remittance waiver request  
received from Estech Systems, Inc. be granted. Motion made by Commis-  
sioner Tim Schram, seconded by Commissioner Rod Johnson, granting the  
waiver request. Motion passed with Commissioners Crystal Rhoades, Rod  
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

## RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 8, Grain Warehouse Rules and  
#195 Regulations, to adopt rules in accordance with Nebraska  
Legislative Bill 183 [2015] and clarify provisions regard-  
ing in-store transfer notices. Commissioner Jerry Vap presiding as  
Hearing Officer: Motion made by Commissioner Tim Schram, seconded by  
Commissioner Frank Landis, to enter an order opening the docket and  
seeking comments due December 31, 2015. Motion passed with Commis-  
sioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and  
Jerry Vap voting AYE.

## TRANSPORTATION DEPARTMENT

B-1916 In the Matter of Destinations d/b/a Chauffeured Services, Broken Bow, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by luxury or stretch limousine and sedan in Custer, Lincoln, Dawson, Buffalo, Sherman, Valley, Garfield, Loup, Blaine, Thomas, Logan, Lancaster and Holt counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Rod Johnson, 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-1917 In the Matter of Omaha Brew Bus, LLC, Omaha, seeking to operate as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party and charter service between all 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 Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-14205 In the Matter of Tymar, LLC, d/b/a Second to None Moving, Supp. 1 Papillion, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between all points in the State of Nebraska over irregular routes: 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.

BR-491 In the Matter of Omaha Brew Bus, LLC, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. (Reissue 2014), Chapter 75, Articles 1 and 3: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, 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.

LR-350 In the Matter of Destinations d/b/a Chauffeured Services, LLC, Broken Bow, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. (Reissue 2014), Chapter 75, Articles 1 and 3: 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, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

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

GRAIN WAREHOUSE DEPARTMENT

GW-2161 In the Matter of O'Neill Grain Co., O'Neill, Nebraska:  
 GD-2161 John Fecht informed the Commission that the grain warehouse and grain dealer licenses were cancelled, effective October 31, 2015.

GENERAL ADMINISTRATION

Chairman Vap invited the public to address the Commission. No public comments were received.

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, Tim Schram and Jerry Vap voting AYE.

AS Central Services	\$	566.72
AS Central Services		798.76
Sprint Relay		31,375.15
Thomson Reuters		1,251.34
Voyager		1,276.63
Rod Johnson		1,274.87
Tim Schram		789.75

The following invoices were paid between November 4-16, 2015 and should be ratified:

Ted Burkey	\$	2,596.50
Kent Pribyl		760.11

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing		453.00
Audiology & Hearing Center		107.00
Beltone		172.22
Complete Hearing Solutions		753.82
Hometown Hearing		492.05
Harris Communications		824.70
Carl A. Johnson		915.07

GENERAL ADMINISTRATION (Cont.)

Professional Hearing Aid Services	\$	554.31
Sherard Hearing Center		545.55
Sprint Communications		749.98
Teltex Inc.		4,010.50
White's Hearing Aid Specialists		372.33

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Deputy Director's recommendation to authorize Commissioners and staff to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Winter Conference to be held in Washington, DC in February, 2016. 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 authorize Commissioners to travel to and attend the Mid-America Regulatory Conference (MARC) to be held in San Antonio, Texas in January, 2016, with all expenses to be paid by MARC. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

\*\*\*\*\*

The meeting adjourned at 10:30 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held November 23, 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 November 20, 2015.

  
 \_\_\_\_\_  
 Chairman

  
 \_\_\_\_\_  
 Deputy Director