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 is posted in the meeting room and invited the public to address the Commission. No public comments were received and no announcements were made.

GENERAL ADMINISTRATION

Notice was duly published December 8, 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 December 15, 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:

Wednesday, December 16, 2015:

10:00 Commission Hearing Room, Lincoln
NG-0078.2 In the Matter of 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.

COMMUNICATIONS DEPARTMENT

AD-604r In the Matter of the Application of Array Services Group, Inc., Sartell, Minnesota, seeking authority to register the connection of an automatic dialing-announcing device in Sartell, Minnesota;
AD-605r In the Matter of the Application of Array Services Group, Inc., Sartell, Minnesota, seeking authority to register the connection of an automatic dialing-announcing device in Sartell, Minnesota; and
AD-606r In the Matter of the Application of Array Services Group, Inc., Sartell, Minnesota, seeking authority to register the connection of an automatic dialing-announcing device in Bryan, Texas: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter orders in Dockets AD-604r, AD-605r, and AD-606r granting the applications. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4767/ 911-062/ PI-195 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate the status of direct access to emergency services. Commissioner Crystal Rhoades presiding as Hearing Officer: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an order closing the docket. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

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COMMUNICATIONS DEPARTMENT (Cont.)

C-4807/ PI-202 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate ways to accelerate the deployment of broadband consistent with Section 706 of the Telecommunications Act of 1996: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order opening the docket. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4801 In the Matter of the Application of Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska, Mound, Minnesota, seeking approval of an Interconnection Agreement pursuant to 47 U.S.C. Section 252(i) with Great Plains Broadband, Inc., Blair, Nebraska: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order approving the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Gene Hand recommended that the Commission open a complaint against Victory Processing. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to open the complaint. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

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 Frank Landis, to enter an order granting late-filed audit waiver request. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

911-042.33 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: City of Lincoln: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving funding. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

911-062/ C/4767/ PI-195 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate the status of direct access to emergency services: Commissioner Crystal Rhoades presiding as Hearing Officer: This matter was addressed on the Communications Department's agenda.

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TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-33/ PI-68 In the Matter of the Commission, on its own motion, seeking to investigate the audit requirements related to the Nebraska Universal Service Fund: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to grant in part, and deny in part, the late-filed audit waiver requests. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

NUSF-37.326 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. MegaPath Cloud Company, Inc., Respondent(s): Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order dismissing complaint. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

NUSF-61.09 In the Matter of the Nebraska Public Service Commission, to review traffic studies to determine the appropriate percentage of assessable revenues subject to the Nebraska Universal Service Fund: United States Cellular Corporation's (U.S. Cellular) request for approval of Traffic Study: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order approving traffic study. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek discussed the vacant position on the Nebraska Universal Service Fund's (NUSF) Advisory Board. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the appointment of Jim Harvey, Telehealth Services Coordinator at Bryan Health to the Rural Health Care position on the NUSF Advisory Board. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0078.2 BE-001 BE-002 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;

NG-0084 BE-005 BE-006 In the Matter of the Joint Application of SourceGas Distribution, LLC, SourceGas Holdings, LLC, both of Golden, Colorado, and Black Hills Utility Holdings, Inc., Papillion, Nebraska, seeking Necessary Authorizations and Approvals for Black Hills Holdings, Inc. to Acquire SourceGas Holdings, LLC. Commissioner Frank Landis presiding as Hearing Officer; and

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NATURAL GAS DEPARTMENT (Cont.)

NG-0086 BE-001 CA-001 In the Matter of the Application of Black Hills/Nebraska Gas Utility Company, LLC, d/b/a Black Hills Energy, Papillion, 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 Commissioner Rod Johnson to enter Assessment Orders in Dockets NG-0078.2, NG-0084, and NG-0086. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

OP-0002 In the Matter of the Application of TransCanada Keystone Pipeline L.P., Houston, Texas, seeking approval of the route of the Keystone XL Pipeline Project pursuant to the Major Oil Pipeline Siting Act. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter Assessment of Reasonable Commission Expenses in connection with the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1895 In the Matter of Ride Right, LLC, Lake St. Louis, Missouri, seeking authority as a common carrier in the transportation of passengers by van over irregular routes in Lancaster County. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order dismissing the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

B-1920 In the Matter of Roadrunner Bus, LLC, Weston, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus over irregular routes between all points in the State of Nebraska. 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 Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

FC-1362 In the Matter of Happy Cab Company dba Checker Cab Co., Happy Cab Co., and Yellow Cab Co.; Valor Transportation dba Safeway Cab; and DonMark, Inc., dba Cornhusker Cab Company, Complainants vs. Servant Cab Company, LLC, dba Yellow Cab Company and Capital Cab Company, Defendants: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order closing the docket. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

2015 Transportation Network Companies (TNC) Annual Report to the Legislature: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve filing the 2015 TNC Annual Report to the Legislature. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

BR-492 In the Matter of Adventure Enterprises, LLC, Lincoln, seeking to establish its rates and charges subject to the provisions of Neb. Rev. Stat., Chapter 75, Articles 1 and 3 (Supp. 2015): Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

BR-493 In the Matter of Roadrunner Bus, Weston, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3 (Supp. 2015): 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 Rod Johnson, Frank Landis, Crystal Rhoades, 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 surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: Mark Breiner reported to the Commission that Tariff 7F fuel surcharge decreased to $0.48 and the Tariff 22 fuel surcharge decreased to $1.05.

GRAIN WAREHOUSE DEPARTMENT

GW-615 etal In the Matter of the completed list of warehouse license renewals for the fourth quarter of 2015: John Fecht discussed the fourth quarter grain warehouse renewal licenses.

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GRAIN WAREHOUSE DEPARTMENT (Cont.)

GD-3008 In the Matter of the Application of Maximum Profit Grain, LLC, Lincoln, 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 Tim Schram, to enter an order granting the Grain Dealer License. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

GD-1036 et al In the Matter of the completed list of grain dealer license renewals for the fourth quarter of 2015: John Fecht discussed the fourth quarter grain dealer renewal licenses.

GENERAL ADMINISTRATION

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

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 Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Sprint Relay	31,277.12
Thomson Reuters	1,251.34
Rod Johnson	952.21

The following invoices were paid between December 8, 2015 and December 14, 2015, and should be ratified:

NEBRASKA EQUIPMENT DISTRIBRUTION PROGRAM

Alternative Hearing	$ 617.12
Audiology & Hearing Center	107.00
Harris Communications	776.75
Hometown Hearing	203.19
Carl A. Johnson	1006.35
Larry Kent & Associates, Inc.	2096.64
Midwest Hearing Consultants	253.43
Thomas J. Tambling	224.59
Teltex Inc.	2119.20
U-Save Pharmacy & Medical	364.77
Weitbrecht Communications	217.45

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve the Commission's minutes for November, 2015. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

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GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Commissioner Crystal Rhoades' travel to and attendance of the North American Numbering Council (NANC) meeting held on December 1, 2015. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to approve the Executive Director's recommendation to authorize Kent Pribyl to travel to Clay Center, Kansas, on January 5, 2016 to perform a modular housing unit factory inspection at Wardcraft Homes with all expenses, including time, to be reimbursed to the Commission by Wardcraft Homes. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, 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 December 22, 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 December 21, 2015.

Gerald L. Vap
Chairman

Executive Director

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