

Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, and Tim Schram present and Commissioner Gerald Vap excused. Chairman Schram 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. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published June 7, 2016 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on June 16, 2016 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, June 21, 2016:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

11:00 Commission Hearing Room, Lincoln
Wireless E-911 Advisory Board Meeting

1:30 Commission Hearing Room, Lincoln
C-4847/
NUSF-104 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the operations of Total Call Mobile, LLC and to Show Cause why the Commission should not suspend its Eligible Telecommunications Company
Designation: Commissioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund (NIEF):
Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to appoint Mike DeVore, Ron Melbye and Brian Thompson to the NIEF Advisory Board. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-4837 In the Matter of the Application of Mobilitie Management, LLC, Newport Beach, California, seeking authority to provide facilities-based and resold competitive local exchange telecommunications services within the State of Nebraska: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4838 In the Matter of the Application of Matrix Telecom, Inc., Irving, Texas, seeking approval of a name change to Matrix Telecom, LLC: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-4839 In the Matter of the Application of Mobilitie, LLC, Newport Beach, California, seeking approval of a transfer of control to NE Transport Technology Network, LLC, Schaumburg, Illinois: 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 and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-4840 In the Matter of the Application of tw telecom data services llc, Broomfield, Colorado, seeking approval of a name change to Level 3 Telecom Data Services, LLC: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-4842 In the Matter of the Application of Kirk Peterson, Holdrege, Nebraska, seeking authority to receive advanced telecommunications service from the Funk Exchange of Glenwood Telephone Membership Corporation: 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, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-4844/
DC-90 In the Matter of the Nebraska Public Service Commission regarding the 2015 Annual Report Filings. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order to dismiss in part. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-4835 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of a Resale Agreement with dishNET Wireline, LLC, Englewood, Colorado: 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 and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2375 In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the extension. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

E-2417 In the Matter of the Application of Perennial Public Power District, York, seeking authority to construct, operate and maintain an electric transmission line in Fillmore County; and

E-2418 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter orders granting applications E-2417 and E-2418. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Cullen Robbins discussed the bimonthly NITC Broadband Newsletter.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-042.02 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: Dodge County 911 Board;

911-042.03 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: Clay County;

911-042.05 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 South Sioux City;

911-042.09 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 McCook;

911-042.18 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 North Platte;

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.21 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: Cuming County;
- 911-042.24 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: Fillmore County;
- 911-042.28 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: Seward County;
- 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;
- 911-042.49 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: Douglas County;
- 911-042.59 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 Norfolk; and
- 911-042.65 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: Dixon County:
- Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter Orders approving funding requests in Dockets 911-042.02, 911-042.03, 911-042.05, 911-042.09, 911-042.18, 911-042.21, 911-042.24, 911-042.28, 911-042.33, 911-042.49, 911-042.59, and 911-042.65: Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.
- 911-060.02 In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions: Dodge County 911 Board;
- 911-060.57 In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions: City of Alliance; and

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-060.64 In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions: Sarpy County: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Orders approving Text to 911 funding requests in Dockets 911-060.02, 911-060.57, and 911-060.64: Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

NUSF-1 PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: AccessLine Communications: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to grant an extension to June 30, 2016, to submit the 2014 NUSF Remittance Audit, originally due December 31, 2015. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

NUSF-92.07 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, Inc. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting a request to extend the completion deadline of the Superior and Nelson projects to December 31, 2016. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Sue Vanicek discussed the NUSF Late-Filed and Late-Paid Carrier Remittances: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to levy late fees against M5 Networks, LLC; Call Shaper, LLC; EOS Mobile Holdings, LLC; and Legacy Long Distance International. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Commissioner Tim Schram mentioned the Net Neutrality Order.

TRANSPORTATION DEPARTMENT

B-1757 In the Matter of Night Life Limousine, LLC, proposes to change the stock ownership as follows: Current Ownership: Joseph Armstrong (50%), Erich Tiemann (50%); Proposed Ownership: Melissa Shandera (50%), Jeremy Snyder (50%): Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to enter an order granting temporary authority. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

B-1915 In the Matter of First Choice Transport, LLC, Omaha, seeking authority as an open class carrier of passengers by van between points in Douglas, Sarpy, Lancaster, Washington, Cass, Dodge, Dakota, Hall, York, Lincoln and Saunders counties. 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 Crystal Rhoades, to enter an order dismissing the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

B-1928 In the Matter of Leisure Party Bus & Limousine, Inc., Lincoln, 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 Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

M-14233 In the Matter of the Application of Alexander R. Eberhardt d/b/a Black Shirt Moving, Hastings, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods by straight trucks and vans in Lincoln, Adams, Hall, Buffalo, Clay, Kearney, Custer, and Dawson counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order dismissing the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

Commissioners discussed sending a letter to Servant Cab regarding Commission Rules 004.03E and 004.04C. Commissioner Crystal Rhoades provided comments in opposition to the draft letter and asked that the following statement be added to the record:

"Warning carriers who haven't engaged in any misconduct is inappropriate and offensive. There's no reason to chastise carriers who are following the rules and acting in good faith.

"Warnings are only appropriate when misconduct is rare and unintentional. That is not the case with Mr. Young and his companies Servant Cab and GPS.

"The transportation department spends more time addressing performance problems with Mr. Young and his companies than all other carriers combined.

"Mr. Young has shown he has flagrant disregard for rules and regulations and has behaved with contempt toward this Commission.

"Over the last year he has violated rules on multi-loading and billing, operated taxis as open class vehicles, operating open class vehicles as taxis, there have been dozens of serious customer complaints ranging from unsecured wheelchair tipping causing injury, and a visually impaired man being dropped at the end of the alley and not at his home, just to name a couple.

"Yet with overwhelming evidence against Mr. Young this Commission has failed to take any corrective actions. This failure is unfair to both the public and other providers since I have been unable to persuade my colleagues that enforcement is the only appropriate response I want the record to reflect that I dissent to ignoring Mr. Young's blatant misconduct and I will vote against both letters because Mr. Young should be ticketed for his offenses and the other carriers shouldn't be issued a warning letter for an offense they didn't commit."

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to send a letter to Servant Cab regarding Commission Rules 004.03E and 004.04C. 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.

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TRANSPORTATION DEPARTMENT (Cont.)

BR-503/ In the Matter of Leisure Party Bus & Limousine, Inc.,
B-1928 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 Rod Johnson, to enter an order granting the
application on an emergency basis. Motion passed with Commissioners
Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE,
and Commissioner Jerry Vap excused not voting.

GRAIN WAREHOUSE DEPARTMENT

GW-2187 In the Matter of the Application of Richardson Milling
Inc., South Sioux City, Nebraska, requesting a \$100,000.00
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 Rod Johnson, Frank Landis, Crystal Rhoades and Tim
Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Commissioner Frank Landis questioned the well-being of
GW-2192/GWC-442 Wellington Technologies, LLC d/b/a Booth Feed, of
Beatrice.

GENERAL ADMINISTRATION

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

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| AS Central Services | \$ | 1,367.32 |
| Holiday Inn-Lincoln | | 890.00 |
| Lincoln Police Garage | | 867.83 |
| Mission Critical Partners | | 13,873.75 |
| Sprint Relay Services | | 25,317.23 |
| Voyager | | 1,033.87 |
| Crystal Rhoades | | 1,318.68 |

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Mark Luttich to travel to and attend a meeting, tentatively set for June 28, 2016, at the State of Colorado Building Division in Denver, Colorado, with State of Colorado Building Division employees, Colorado retailers and installers, the Colorado Manufactured Home Association, and Nebraska manufacturers, to discuss the issues involved with Nebraska modular housing unit shipments into Colorado and the necessary factory and on-site inspections, with all expenses to be paid by the Commission's modular housing unit program. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades 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 Executive Director's recommendation to approve Steve Stovall to travel to and attend the 2016 National Association for State Relay Administrators (NASRA) Conference and Business Meeting to be held September 12 through September 15, 2016, in Annapolis, Maryland, with all expenses to be paid by the Commission. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

The meeting adjourned at 10:33 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 on June 21, 2016 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 20, 2016.



Chairman



Executive Director