

Vice Chair Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Gerald Vap and Tim Schram present and Commissioner Anne Boyle excused. Vice Chair Landis invited the public to address the Commission and announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. No announcements were made.

#### GENERAL ADMINISTRATION

Notice was duly published January 3, 2014 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 7, 2014 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Monday, January 13, 2014:

10:00 Commission Hearing Room, Lincoln.  
E911 Advisory Board Meeting

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in December 2013. She reported that there were a total of 37 complaints: 29 - wireline and 8 - wireless. The complaints were categorized as follows: 9 billing, 19 service and 9 miscellaneous issues.

AD-566 In the Matter of the Application of Aegis USA, Inc., Irving, Texas, seeking authority to connect an automatic dialing-announcing device in Dallas, Texas: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-4641 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a Relative Use Factor Amendment to the Interconnection Agreement with Global Crossing Telemanagement, Inc., Pittsford, New York, previously approved in Docket C-3910: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order to vacate the order entered on December 17, 2013. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4642 In the Matter of the Application of Jean & Darrell Lammers, Wendy & Chad Stevens, Carrier & Troy Lammers, Ed & Michelle Lammers, David & Lori Lammers, Linus & Beata Lammers, Frank & Krisa Lammers, Roger Lammers, Kevin & Sharon Lammers, Kevin & Sandy Uhing and Gary Harold of Hartington, Nebraska, seeking authority to receive telephone service from the Hartington exchange of the Hartelco Telephone Company: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-4643 In the Matter of the Application of Lightyear Network Solutions, LLC, Louisville, Kentucky, seeking authority to withdraw its local exchange and interexchange certificates and tariffs: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-4645 In the Matter of the Application of Access One, Inc., Chicago, Illinois, seeking authority to operate as a resold local exchange carrier of telecommunication services within the State of Nebraska: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders granting applications E-2358 and E-2359. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

E-2358 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.

E-2359 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Webster and Nuckolls Counties.

Gene Hand informed the Commission that the Telecommunication Relay Service (TRS) Advisory Committee Meeting is scheduled for January 17, 2014, at 2:00 p.m. in the Commission Hearing Room, Lincoln.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand updated the Commission on Electronic Exchange Mapping (C-4543).

Gene Hand reported on progress mailing out the planning surveys and the effort underway to develop the agenda for the October Broadband Connecting Nebraska Conference.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-057/  
PI-187 In the Matter of the Commission, on its own motion, seeking to investigate funding for costs for the development of certain Geographical Information Systems Data relating to the provision of Enhanced Wireless 911 Service. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order seeking comments due on or before February 14, 2014. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle 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: Orbitcom, Inc: Sue Vanicek discussed the deviation of remittance audit language seeking Commission approval to accept as presented. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to accept the deviation of remittance audit language as presented. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle 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: Securus Technologies, fka Evercom. Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to grant Securus Technologies' request for an extension of time to March 31, 2014, to submit the Remittance Audit due on December 31, 2013. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Sue Vanicek discussed the previously levied late-fee for Simple Signal: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to waive the late-fee due to a clerical error. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NATURAL GAS DEPARTMENT

NG-0074      In the Matter of Black Hills/Nebraska Gas Utility Company,  
CA-004      LLC d/b/a Black Hills Energy, Omaha, seeking approval of an  
             infrastructure system replacement cost recovery charge,  
pursuant to Sections 66-1865 and 66-1866 of the State Natural Gas  
Regulation Act. Commissioner Frank Landis presiding as Hearing Offi-  
cer: Motion made by Commissioner Tim Schram, seconded by Commissioner  
Jerry Vap, to enter Assessment Order CA-004. Motion passed with Com-  
missioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting  
AYE, and Commissioner Anne Boyle excused not voting.

Laura Demman reported a total number of 10 consumer com-  
plaints and inquiries received during December. For each company:  
Black Hills - 1; SourceGas - 2; NorthWestern - 2; and Other Entities -  
5.

RULES AND REGULATIONS

Rule and      In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 3, Motor Carrier Rules and  
#182      Regulations, to rewrite the chapter in its entirety. Com-  
             missioner Tim Schram presiding as Hearing Officer: Motion  
made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson,  
to enter an order releasing the second set of proposed rules for com-  
ments due January 31, 2014 and scheduling a hearing for February 19,  
2014, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion  
passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and  
Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

TRANSPORTATION DEPARTMENT

B-1850      In the Matter of Tyson Hinrichsen Enterprises dba Shorty's  
             Party Bus Services, Grand Island, seeking authority as a  
common carrier in Nebraska intrastate commerce in the transportation  
of passengers by bus between points within the state of Nebraska.  
RESTRICTION: The transportation of railroad train crews and their  
baggage is not authorized. HHS Designation: No: Motion made by Com-  
missioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an  
order granting the application. Motion passed with Commissioners Rod  
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Com-  
missioner Anne Boyle excused not voting.

B-1857      In the Matter of Rockin N Rollin, LLC, Council Bluffs,  
             Iowa, seeking authority as a common carrier in Nebraska  
intrastate commerce in the transportation of passengers by bus between  
all points in 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 Jerry  
Vap, to enter an order granting the application. Motion passed with  
Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap  
voting AYE, and Commissioner Anne Boyle excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

M-12965 In the Matter of R & R Xpress, Inc., Falls City: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order revoking the authority in Certificate M-12965. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Rate Division

BR-439 In the Matter of Premier Party Lines, LLC, Diller, seeking authority to set its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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: The Tariff 7F fuel surcharge was retained at \$1.08 per mile and the Tariff 22 fuel surcharge at \$7.32 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-19 In the Matter of the Application of J. E. Meuret Grain Co., Inc., Brunswick, requesting a \$25,000 deductible on its stock insurance: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the \$25,000 deductible on stock insurance. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

GW-267 In the Matter of Greenwood Farmers Cooperative dba Midwest Farmers Cooperative, Elmwood, requesting cancellation of their warehouse and dealer licenses effective January 1, 2014: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the request to cancel the grain warehouse and grain dealer licenses effective January 1, 2014. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

GW-1136 In the Matter of the Application of Central Valley Ag Cooperative, Nonstock, Saint Edward, requesting a \$25,000 deductible on its stock insurance: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the \$25,000 deductible on stock insurance. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GW-2187 In the Matter of the Application of Richardson Milling Inc., f/k/a 21C Oats, Inc., South Sioux City, seeking approval of Special Storage Rates for Identity Preserved Grain: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order scheduling a video hearing for February 18, 2014 at 1:30 p.m. in the Commission Hearing Room, Lincoln and City Hall, 1615 1st Avenue, South Sioux City. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. Commissioner Rod Johnson was appointed Hearing Officer.

GENERAL ADMINISTRATION

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, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

AS Materiel-Printing	\$	780.93
University of Nebraska-David Rosenbaum		9,960.75
Fred Massing		2,472.00
Kent Pribyl		659.48
Tim Schram		461.04

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Accessibility Dot Net Inc.	\$	226.88
Alternative Hearing		2,227.58
Beltone		852.47
Glassman Hearing Aid Technology		394.78
Grand Island Hearing Center		600.37
Carl A. Johnson		1,277.90
Professional Hearing Aid Services		1,426.31
Sherard Hearing Aid Center		170.66
Talk to Me Technologies		1,000.00
Teltex, Inc.		3,105.90
Weitbrecht Communications		392.45
Western ENT Associates		561.53

The following payments were made between December 18, 2013 and January 6, 2014 and should be ratified:

Arrow Inn	\$	675.00
Comfort Suites		525.00
Techdepot		569.97
Anne Boyle		678.00
Gerald Vap		885.95

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Mark Luttich and Kent Pribyl to travel to and attend the Recreational Vehicle Industry Association's (RVIA) State Administrators Meeting/Workshop to be held in Portland, OR from February 2-5, 2014 with most expenses to be reimbursed by RVIA. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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The meeting adjourned at 10:26 a.m. with Commissioners Rod Johnson, Frank Landis, Gerald Vap and Tim Schram present and Commissioner Anne Boyle excused. The next regularly scheduled meeting will be held on January 14, 2014 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. January 13, 2014.

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Chair

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Executive Director