

Chairman Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. Chairman 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 May 6, 2014, on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 13, 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:

Tuesday, May 13, 2014:

1:30 Commission Hearing Room, Lincoln  
Schedule In the Matter of Fixing Reasonable Storage Rates and  
A & E Rates Charges for Public Grain Warehouses. Commissioner Jerry  
Vap presiding as Hearing Officer.

2:30 Commission Hearing Room, Lincoln  
NUSF-4/ In the Matter of the Commission, on its own motion,  
P.O. #20 seeking to determine the level of the fund necessary to  
carry out the Nebraska Telecommunications Universal  
Service Fund Act beginning July 1, 1999. Commissioner  
Frank Landis presiding as Hearing Officer.

#### COMMUNICATIONS DEPARTMENT

C-4668 In the Matter of the Application of XO Communications  
Services, LLC, Herndon, Virginia, seeking approval of  
certain debt financing transactions. Motion made by Commissioner Tim  
Schram, seconded by Commissioner Anne Boyle, to enter an order  
granting the application. Motion passed with Commissioners Anne  
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4680/ In the Matter of the Nebraska Public Service Commission  
DC-85 regarding the 2013 Annual Report Filings. Motion made by  
Commissioner Tim Schram, seconded by Commissioner Anne  
Boyle, to enter an order opening the docket and setting the Hearing  
for August 5, 2014, at 1:30 p.m. in the Commission Hearing Room.  
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank  
Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Tim Schram  
appointed as Hearing Officer.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2365 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Adams and Webster Counties: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand discussed TRS Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson that a waiver be issued for Flash Wireless Services, LLC, NE Colorado Cellular Inc. and TNCI Operation Co., LLC (VoIP) and that a complaint be opened against TNCI Operation Co., LLC (CLEC). Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand provided each commissioner a copy of the information on Network Nebraska, Digital Learning and E-rate Modernization provided to Federal Communications Commission (FCC), Commissioners and staff during the May 8, 2014, meetings in Washington, D.C.

Gene Hand reported on wireless service quality complaints received from the Beaver Crossing vicinity during 2013.

NATURAL GAS DEPARTMENT

NG-0077 In the Matter of the Application of WoodRiver Energy, LLC, Denver, CO, seeking authority for a Competitive Natural Gas Provider Certificate in the State of Nebraska: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter a Protective Order. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0078 In the Matter of the Application of SourceGas Distribution LLC, Golden, Colorado, seeking an order authorizing it to put into effect a system safety and integrity rider tariff and a system safety and integrity rider charge. Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order suspending tariff. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

NG-0072.1 In the Matter of SourceGas Distribution LLC, Golden, Colorado, seeking approval to adjust an infrastructure system replacement cost recovery charge, pursuant to Sections 66-1865 and 66-1866 of the State Natural Gas Regulation Act. Rod Johnson presiding as Hearing Officer: Angela Melton discussed an order entered by the Hearing Officer on May 7, 2014, adopting a Progression Schedule and scheduling a hearing on July 30, 2014, at 1:00 p.m. in the Commission Hearing Room, Lincoln.

TRANSPORTATION DEPARTMENT

Mark Breiner discussed issues and developments regarding Lyft and Uber.

B-1647 In the Matter of Pontine Enterprises Limousine Services, LLC, Hastings, dismissing the suspension of the Certificate of Public Convenience and Necessity issued in Application B-1647: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order dismissing the suspension and reinstating the authority. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order to Show Cause and set Hearing for May 28, 2014, at 11:00 a.m., Commission Hearing Room, Lincoln, Nebraska. Commissioner Rod Johnson was appointed Hearing Officer. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Jerry Vap and Tim Schram voting AYE.

B-1855 In the Matter of Benstrans, Chadron, seeking authority as a common carrier in the transportation of passengers by van between points in Dawes, Box Butte, Sheridan and Sioux counties, and between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. All trips to originate in the said counties. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order vacating Order of April 15, 2014. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1855 In the Matter of Benstrans, Chadron, seeking authority as a common carrier in the transportation of passengers by van between points in Dawes, Box Butte, Sheridan and Sioux counties, and between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. All trips to originate in the said counties. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting motion to withdraw protest. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-14226 In the Matter of New World Van Lines, Inc., Chicago, Illinois, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in Nebraska over irregular routes: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

LR-339 In the Matter of Michael Christensen dba Accent Chauffeured Transportation, Omaha, seeking authority to set its rates and charges: 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 Anne Boyle, Rod Johnson, Frank Landis, 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: The Tariff 7F fuel surcharge was retained at \$1.14 per mile, and the Tariff 22 fuel surcharge at \$8.00 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GWC-441/ In the Matter of John A. Fecht, Director Warehouse Depart-  
GW-2136/ ment Nebraska Public Service Commission, Complainant, v.  
GD-2136 Pierce Elevator, Inc., Pierce, Nebraska, Defendant. Commis-  
sioner Rod Johnson residing as Hearing Officer. John Fecht informed the Commission on the status of the elevator and that two hearing officer orders were entered. One on May 5, 2014, scheduling an oral argument for Wednesday, May 7, 2014, at 2:00 p.m. in the Commission Hearing Room, and the second one on May 7, 2014, cancelling the oral arguments on May 7th and establishing a discovery deadline.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AS Central Services	\$	951.35
BroadMap		8,474.54
Fred Massing		4,457.00
Thomas Reuters		1,135.00
Voyager		2,148.96
Gene Hand		1,176.69

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The meeting adjourned at 10:27 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on May 20, 2014, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on May 19, 2014.

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Chairman

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Executive Director