

Chairman Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

GENERAL ADMINISTRATION

Notice was duly published August 9, 2005 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 16, 2005 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, August 22, 2005: Grain Warehouse Informational Conference

2:00 - 5:00 PM Mountain Time

Alliance: Box Butte General Hospital, 2102 Box Butte Avenue,
Hemingford Room

Chadron: Chadron Community Hospital, 821 Morehead Street

Scottsbluff: Regional West Medical Center (Hospital), 4021 Avenue B,
Monument Room

Sidney: Memorial Health Center (Hospital), Ray Cruz Conference
Room, 645 Osage Street

3:00 - 6:00 PM Central Time

Gothenburg: Gothenburg Memorial Hospital, Board Room, 910 20th Street

Hastings: Public Library, 2nd Floor, 517 West 4th Street

Kearney: UNK (University of Nebraska-Kearney), Communications
Center Building, Room 250, 1918 University Drive

Lincoln: Nebraska Public Service Commission, Library, 300 The
Atrium, 1200 N Street

McCook: McMillen Hall, Room 208, 1205 East 3rd Street

Norfolk: Faith Regional Health Services, West Campus, Norfolk
Room, 2700 West Norfolk Avenue

North Platte: West Central District Health Department, Board Room, 111
North Dewey

Omaha: Nebraska State Office Building, 1313 Farnam Street

Call-in No: 1-877-229-1563 -- At the prompt enter Code 08220558

COMMUNICATIONS DEPARTMENT

C-3026 In the Matter of the Commission, on its own motion, seeking to conduct a 9-month proceeding as contemplated by the Federal Communications Commission in its Triennial Review order adopting new rules for network unbundling obligations: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3443 In the Matter of Citizens Telecommunications Company of Nebraska, Mound, Minnesota, seeking approval of the inter-connection agreement with MCImetro Access Transmission Services, LLC, McLean, Virginia: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order to approve the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3429 In the Matter of Sprint Communications Company L.P., Overland Park, Kansas, seeking arbitration under the Telecommunications Act, of certain issues associated with the proposed interconnection agreement between Sprint and Southeast Nebraska Telephone Company, Falls City:. Shana Knutson updated the Commission on the status of the docket.

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund: Angela Melton reported on the status of the docket and reported that the City of Chappell completed their NIEF project and requested final payment.

C-3324 In the Matter of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless, Fort Morgan, Colorado, seeking a designation as an eligible telecommunications carrier under 47 U.S.C. Section 214 (e)(2): Shana Knutson reported that post hearing briefs are due September 15, 2005 and reply briefs are due September 30, 2005.

UNIVERSAL SERVICE FUND

NUSF-48 In the Matter of the Commission, on its own motion, seeking to investigate issues related to providing dedicated universal service support for wireless telecommunications services: Commissioner Landis was appointed Hearing Officer.

E911 DEPARTMENT

WSP-003.4 In the Matter of Sprint PCS, Overland Park, Kansas, seeking approval for funding of Enhanced Wireless 911 service: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Kara Thielen reported on a Phase II request received from Sarpy County for US Cellular, Sprint and Verizon.

NATURAL GAS DEPARTMENT

NG-0030/ In the Matter of the Commission, on its own motion, seeking
PI-98 to conduct an investigation of alternative rate design for commercial and industrial ratepayers: Angela Melton informed the Commission that a motion was received on August 11, 2005, requesting an extension of time to file comments. Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the extension of time to file comments until September 6, 2005. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE. Commissioner Vap was appointed hearing officer.

NG-0004.1 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking a waiver of the 30-day notice period under *Neb. Rev. Stat.* 66-1854 and to recover the gas cost portion of uncollectible accounts through its Gas Cost Adjustment tariff. Commissioner Landis presiding as Hearing Officer: Angela Melton reported that the Hearing Officer issued an order scheduling a hearing for October 12, 2005, at 10:00 a.m. in the Commission Hearing Room, Lincoln. An amended Hearing Officer's Order was issued by the Hearing Officer to reschedule the hearing for 1:30 p.m.

LEGISLATIVE REPORT

Angela Melton updated the Commission on the status of legislative resolutions.

TRANSPORTATION DEPARTMENT

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was increased to 60 cents per mile.

Commissioner Landis exited the Commission Hearing Room.

GENERAL ADMINISTRATION

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, Commissioner Frank Landis Excused Not Voting.

DAS-IM Services	\$	1,272.00
DAS-Materiel		978.39
Scott Elston		621.72
Rod Johnson		575.12

Upon agreement of all Commissioners present, authorization was granted for Tim Sandusky to travel to Annapolis, Maryland, from September 12-16, 2005 to attend the 2005 Meeting of the Association of State Rail Safety Program Managers.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to go into closed session to discuss personnel and investigatory matters. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, Commissioner Frank Landis excused not voting. The Commission went into closed session at 10:15 a.m.

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to return to open session. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, Commissioner Frank Landis excused not voting. The Commission returned to open session at 10:17 a.m.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to approve the Executive Director's recommendation to offer the Accountant II position to a candidate. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, Commissioner Frank Landis excused not voting.

The meeting adjourned at 10:18 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson and Vap present, Commissioner Landis excused. The next regularly scheduled meeting will be held on August 23, 2005, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on August 22, 2005.

Chairman

Executive Director