

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:05 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Gerald Vap and Tim Schram present. Chairman Johnson 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 December 31, 2012 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 8, 2013 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in December 2012. She reported that there were a total of 35 complaints: 24 wireline and 11 wireless. The complaints were categorized as follows: 14 billing, 14 service and 7 miscellaneous issues.

C-4537 In the Matter of the Application of Ionex Communications North, Inc., Atlanta, Georgia, seeking financing approval: 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-4539 In the Matter of the Application of RRV Enterprises, Inc., Houston, Texas, seeking authority to withdraw its certificate of authority to resell interexchange telecommunications services in the State of Nebraska: Motion made by Commissioner Jerry Vap, 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-4540 In the Matter of the Application of Glenwood Long Distance, a division of Glenwood Telecommunications, Inc., Blue Hill, seeking approval to change its name to Glenwood Telecommunications, Inc. d/b/a Glenwood Long Distance: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, 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-4541 In the Matter of the Application of Zayo Group, LLC, Louisville, Colorado, 360Networks (USA) Inc., Louisville, Colorado, and Onvoy, Inc., Plymouth, Minnesota, seeking authority for certain pro forma intra-company 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.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4542 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an ICC Bill and Keep Amendment to the Commercial Mobile Radio Services Interconnection Agreement with AT&T Wireless Services, Inc. d/b/a AT&T Mobility LLC, Atlanta, Georgia, previously approved in Docket C-2100: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Nichole Mulcahy discussed TRS Late-Filed Carrier Remittances: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, that a late fee be issued to Citizens Telecommunications Company of Nebraska. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Nichole Mulcahy informed the Commission that \$58.43 was transferred from the Competitive Market Fund to the Internet Enhancement Fund on December 20, 2012.

C-4529/
DR-0005 In the Matter of Dex One Corporation seeking a Declaratory Ruling that Neb. Admin. Code, Title 291, Chap. 5, §002.22A is satisfied by delivery of a directory only to access line customers who affirmatively request one: Nichole Mulcahy informed the Commission that a Hearing Officer order was entered December 27, 2012, granting a motion for admission pro hac vice.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-1 In the Matter of the Commission, on its own motion, seeking PO #5 to establish guidelines for administration of the Nebraska Universal Service Fund: Zito Midwest, LLC: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to grant Zito Midwest's request for an extension to January 31, 2013 to file the NUSF payment audit, due December 31, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-1 In the Matter of the Commission, on its own motion, seeking PO #5 to establish guidelines for administration of the Nebraska Universal Service Fund: Treasure Lake, LP: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to grant Treasure Lake's request for an extension to January 31, 2013 to file the NUSF payment audit, due December 31, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

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: Trans National Communications International, Inc: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to grant Trans National's request for an extension to January 31, 2013 to file the NUSF remittance audit, due December 31, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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: NobelTel, LLC: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to grant NobelTel's request for an extension to January 21, 2013 to file the NUSF remittance audit, due December 31, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 procedures language, seeking Commission approval to accept as presented. Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the deviation of remittance audit procedures language. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-50 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to make adjustments to the Universal Service Fund mechanism established in NUSF-26: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order authorizing payment. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

Angela Melton reported a total number of 8 consumer complaints and inquiries received during December. For each company: Black Hills 2; SourceGas 5; NorthWestern 1; and Other Entities 0.

TRANSPORTATION DEPARTMENT

B-1705 In the Matter of Champion Homes of Hastings, LLC, Hastings, Supp. 1 seeking authority for the transportation of passengers and their baggage that are clients of AMR/Access 2 Care between points in Adams, Hall, Buffalo, Kearney, Franklin, Webster, Nuckolls, Clay, Hamilton, Fillmore, Seward, Saline Counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. Commissioner Johnson presiding as Hearing Officer: Upon agreement of all Commissioners, the hearing previously scheduled for January 8-9, 2013, was continued to March 6-7, 2013, at 9:30 a.m. in the Commission Hearing Room, Lincoln.

B-1824 In the Matter of TNM, LLC dba Goodwill Medical Transportation, Omaha, seeking to acquire, through transfer, the authority held by T. Blakey Enterprises, LLC, dba Goodwill Medical Transportation, Omaha, in Certificate B-1743: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1829 In the Matter of Golden Plains Services Transportation, Inc., dba GPS Transportation, McCook, seeking to acquire, through transfer, the certificate held by Golden Plains Services, LLC, dba High Plains Cab Service in Certificate B-1575, Supplement 1: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application and revoking Certificate B-1575, Supplement 1. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1830 In the Matter of Leisure Taxi, LLC, Lincoln, seeking to acquire, through transfer, the certificate held by Leisure Limousine & Sedan, Inc., Lincoln, in Certificate B-1718, Supplement 3: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order granting the application and revoking Certificate B-1718, Supplement 3. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-12965 In the Matter of R & R Xpress, Inc., Falls City: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the suspension of Certificate M-12965 until December 15, 2013. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-13397 In the Matter of Pawnee Transfer, Inc., Humboldt: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order revoking the authority in Certificate M-13397. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

M-14219 In the Matter of Dale Bierman dba Gentle Giant Movers, Columbus, seeking to acquire, through transfer, the certificate held by Gentle Giant Movers, Columbus, in Certificate M-14217: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application and revoking Certificate M-14217. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MCC-3180 In the Matter of Mark Breiner, Director, Motor Transportation Department, Nebraska Public Service Commission, Complainant, vs. Limousine Services, LLC, Omaha, Defendant. Commissioner Tim Schram presiding as Hearing Officer: The hearing previously scheduled for January 8, 2013, was continued to January 15, 2013, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

Rate Division

BR-410 In the Matter of Golden Plains Services Transportation, Inc., dba GPS Transportation, McCook, seeking authority to set its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, 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.

LR-333 In the Matter of Western Limousine Services, LLC, Imperial, seeking authority to set 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 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 decreased to \$1.04 per mile and the Tariff 22 fuel surcharge to \$6.88 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-19 In the Matter of the Application of J. E. Meuret Grain Co., Inc., Brunswick, NE requesting a \$25,000.00 deductible on its stock insurance: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving the increase in deductible to \$25,000.00. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GW-1136 In the Matter of the Application of Central Valley Ag Cooperative, Nonstock, Saint Edward, NE requesting a \$25,000.00 deductible on its stock insurance: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the increase in deductible to \$25,000.00. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Deputy 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-Network Services	\$	3,435.42
Voyager		1,123.04
Anne Boyle		466.20
Tim Schram		452.88

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Accessibility dot Net Inc.	\$	278.25
Alternative Hearing		451.26
Beltone		929.51
Complete Hearing Solutions		209.00
Glassman Hearing Aid Technology		757.29
Hearing Aid Center of Columbus		74.85
Grand Island Hearing Aid Center		532.32
Professional Hearing Aid Services		556.19
Sherard Hearing Aid Center		170.66
Sprint Communications		99.99
Teltex Inc.		2,111.40
Verizon Wireless		1,230.46
Weitbrecht Communications		156.20

The following invoices were paid between December 19, 2012 and January 7, 2013 and should be ratified:

AS Central Services-Network Services	\$	3,435.42
GIS Workshop		14,400.00
United States Postal Service		605.00

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Deputy Director's recommendation to approve Commission minutes for the month of December 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the Deputy Director's recommendation to change the status of an employee in the Nebraska Telecommunications Infrastructure and Public Safety Department from probationary status to permanent status. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to advance 10 hours of sick leave to an employee in the E911 Department. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:25 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Gerald Vap and Tim Schram present. The next regularly scheduled meeting will be held on January 15, 2013 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 14, 2013.

Chairman

Deputy Director