

Chair Anne Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Gerald Vap and Tim Schram present. Chair Boyle 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 March 19, 2013 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held March 26, 2013 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

AD-552r In the Matter of the Application of Patrick Davis Consulting, LLC, Colorado Springs, Colorado, seeking authority to register the connection of an automatic dialing-announcing device: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders approving applications C-4579, C-4583 and C-4585. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4579 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of an ICC VoIP Amendment to the Interconnection Agreement with Windstream of the Midwest, Inc., Little Rock, Arkansas, previously approved in Docket C-4243.

C-4583 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an ICC VoIP Amendment to the Interconnection Agreement with XO Communications Services, LLC, Herndon, Virginia, previously approved in Docket C-3082.

C-4585 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an ICC VoIP Amendment to the Interconnection Agreement with Sprint Communications Company, LP, Overland Park, Kansas, previously approved in Docket C-3363.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4543/ PI-186 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate and explore federally mandated filing of electronic maps certifying the study area of Incumbent Local Exchange Carriers (ILEC's) in Nebraska: Gene Hand informed the Commission that a Hearing Officer's order was entered March 20, 2013, setting a deadline of April 5, 2013 for ILEC's to notify the Commission that they prefer the PSC to submit study area boundary data on their behalf.

Gene Hand introduced Tom Rolfes from the Nebraska Information Technology Commission (NITC) who reported on LB 1208, Distance Learning, Network Nebraska and the Collaborative Agregation Partnership (CAP).

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Sue Vanicek discussed the reappointments of three Wireless E-911 Advisory Board members: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve advertising for the retiring board member for the municipal official or employee role. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders modifying Protective Orders in Dockets NUSF-77.08 through NUSF-77.23, originally entered March 12, 2013. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Frank Landis presiding as Hearing Officer.

NUSF-77.08 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Cambridge Telephone Company.

NUSF-77.09 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from CenturyLink.

NUSF-77.10 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Citizens Telephone Company of Nebraska d/b/a Frontier Communications of Nebraska.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- NUSF-77.11 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Diode Cable Company.
- NUSF-77.12 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Glenwood Telecommunications.
- NUSF-77.13 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Great Plains Communications.
- NUSF-77.14 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Nebraska Central Telephone Company.
- NUSF-77.15 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Pierce Telephone Company.
- NUSF-77.16 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Raicom, Inc.
- NUSF-77.17 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Rock County Telephone Company.
- NUSF-77.18 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Three River Communications, LLC.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-77.19 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Windstream Communications.

NUSF-77.20 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from N.E. Colorado Cellular d/b/a Viaero.

NUSF-77.21 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from United States Cellular Corporation.

NUSF-77.22 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Eastern Nebraska Telephone Company.

NUSF-77.23 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Consolidated Telco, Inc.

Sue Vanicek discussed the applications to the NUSF Advisory Board for the roles of libraries, schools, rural health care, telecom carriers and the public: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the NUSF Advisory Board members' applications. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0072 In the Matter of SourceGas Distribution LLC, Golden, Colorado, 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 Jerry Vap presiding as Hearing Officer: Laura Demman informed the Commission that a Hearing Officer's order was entered March 21, 2013, adopting a procedural schedule and setting a hearing for June 19, 2013, at 9:00 a.m. in the Commission Hearing Room, Lincoln.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1647 In the Matter of Pontine Enterprises, Hastings: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order suspending the authority in Certificate B-1647. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1762 In the Matter of Divine Destinations, LLC, Wayne: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order revoking the certificate in B-1762. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1818 In the Matter of Casino Cab Company, LLC, Council Bluffs, Iowa, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers between points by taxi in Douglas and Sarpy counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Commissioner Anne Boyle presiding as Hearing Officer: Mark Breiner informed the Commission that a Hearing Officer's order was entered on March 25, 2013, granting the applicant's motion to continue the hearing previously scheduled for March 26-28, 2013. The hearing was rescheduled for April 23, 2013, at 1:00 p.m. and April 24-25, 2013, at 9:30 a.m. in the Commission Hearing Room, Lincoln with an additional hearing date to be determined. The Hearing Officer also entered a second prehearing conference order on March 25, 2013.

B-1827 In the Matter of A Family Affair, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in charter and special party between points in Lancaster, Douglas, Saline, Saunders, Gage, Otoe, Butler, Seward, Cass, and York counties, and between points within said 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: No: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter a Show Cause order and schedule a hearing for April 9, 2013, at 11:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Frank Landis was appointed as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

MCC-3181 In the Matter of Mark Breiner, Director, Motor Transportation Department, Public Service Commission, Complainant, vs. Divine Destinations, LLC, OMALiNK, Inc., Starsky's and Curtis E. Service, Respondents. Commissioner Anne Boyle presiding as Hearing Officer: The hearing previously scheduled for April 9, 2013, was cancelled.

Rate Division

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 \$7.92 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-20 In the Matter of the 1st quarter grain warehouse license etal renewals: John Fecht discussed the completed license renewals.

Schedule A & E In the Matter of Fixing Reasonable Storage Rates and Charges for Public Grain Warehouses: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order scheduling a hearing for May 7, 2013 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Jerry Vap was appointed as Hearing Officer.

Grain Dealer Division

GD-153 In the Matter of the 1st quarter grain dealer license etal renewals: John Fecht discussed the completed license renewals.

GD-2161/ In the Matter of John A. Fecht, Director Warehouse Department, Nebraska Public Service Commission, Complainant v. GDC-435 Dennis Partners, Inc. d/b/a O'Neill Grain Co., O'Neill, Nebraska, Respondent: John Fecht discussed the complaint.

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 Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Attorney General-Jan, Feb, Mar Payment	\$8,166.00
AS OCIO-March Network Services	3,467.13
AS Personnel-SOS 2/25-3/10/13	1,461.90
Gerald Vap	796.68

GENERAL ADMINISTRATION (Cont.)

The following invoices were paid between March 20-25, 2013 and should be ratified:

AIM Institute \$ 750.00

The meeting adjourned at 11:00 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 April 2, 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 April 1, 2013.

Chair

Executive Director