

Vice Chair Frank Landis called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Frank Landis, Gerald Vap and Tim Schram present, and Commissioners Anne Boyle and Rod Johnson 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 May 14, 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 May 21, 2013 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Wednesday, May 22, 2013

10:00 Commission Hearing Room, Lincoln. Commissioner Tim Schram presiding as Hearing Officer.

911-042.02 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Dodge County.

911-042.38 Immediately Following Docket 911-042.02
In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Washington County.

Commissioner Rod Johnson entered the Commission Hearing Room.

COMMUNICATIONS DEPARTMENT

Commissioner Rod Johnson exited the Commission Hearing Room.

C-4426 In the Matter of the Application of Common Point, LLC, Springfield, Illinois, seeking to establish its initial access service tariff for access tandem switching. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the motion to withdraw. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2352 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte and Boone Counties: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Rod Johnson excused not voting.

Commissioner Rod Johnson entered the Commission Hearing Room.

Gene Hand informed the Commission that Peter Seiler, Executive Director of the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH), is retiring on June 28, 2013.

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Gene Hand informed the Commission that \$207.50 was transferred from the Competitive Market Fund to the Internet Enhancement Fund on May 20, 2013.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-019/
PI-118 In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order authorizing payments. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

911-020.07 In the Matter of Sue Vanicek, Director of the Nebraska Telephone Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. 365 Wireless, LLC; Broadvox-CLEC, LLC; Covista, Inc.; Cozad Telephone Company; Ionex Communications North, Inc.; Teleport Communications of America, LLC; AND XO Communications Services, LLC, Respondent(s): Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order scheduling a hearing for July 30, 2013 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. Commissioner Anne Boyle was appointed as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
276 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Convergia, Inc., Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving the stipulation and cancelling the hearing previously scheduled for May 21, 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 Hearing Officer Orders entered on May 17, 2013, granting petitions for formal interventions in Dockets NUSF-77.09, NUSF-77.10 and NUSF-77.15 and denying the petition for formal intervention in Docket NUSF-77.15:

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 dba Frontier Communications of Nebraska.

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-77.15 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.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

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 increased to \$1.10 per mile and the Tariff 22 to \$7.40 per truck per trip.

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.

Sprint	\$	47,422.25
Gene Hand		1,008.33
Gerald Vap		1,175.24

The meeting adjourned at 10:09 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 May 29, 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 May 28, 2013.

Vice Chair

Executive Director