

Chair Anne Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Frank Landis, Gerald Vap and Tim Schram present and Commissioner Rod Johnson excused. 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 June 10, 2013 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held June 18, 2013 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Wednesday, June 19, 2013:

2:00 Commission Hearing Room, Lincoln.
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.

COMMUNICATIONS DEPARTMENT

C-4570/ In the Matter of the Application of Nexus Communications, Inc., Columbus, Ohio, for Designation as an Eligible Telecommunications Carrier Pursuant to 47 U.S.C. 214 € for Low Income Support Only. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-4602/ In the Matter of the Nebraska Public Service Commission DC-83 regarding the 2012 Annual Report Filings. Commissioner Anne Boyle presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order dismissing the complaint in part. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4604 In the Matter of the Joint Application of Global Tel*Link Corporation, Mobile, Alabama; Value-Added Communications, Inc., Plano, Texas; DSI-ITI, LLC, Mobile, Alabama; Public Communications Services, Inc., Mobile, Alabama, seeking approval of issuance of debt and related financing transactions: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

WC-13-39 In the Matter of Rural Call Completion: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to ratify reply comments filed June 11, 2013. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

DA 13-1109 In the Matter of TracFone's Petition to Amend Lifeline
WC 11-42 Rules to Prohibit In-Person Distribution of Handsets to
CC 96-45 Prospective Lifeline Customers, DA 13-1109; Lifeline and
WC 03-109 Link Up Reform and Modernization, WC Docket No. 11-42;
WC 12-23 Federal-State Joint Board on Universal Service; Lifeline
and Link Up, CC Docket No. 96-45; Advancing Broadband
Availability Through Digital Literacy Training, WC Docket No. 03-109;
WC Docket No. 12-23: Motion made by Commissioner Jerry Vap, seconded
by Commissioner Frank Landis, to ratify the letter filed in these
dockets with the Federal Communications Commission (FCC) on June 17,
2013. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim
Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused
not voting.

E-2354 In the Matter of the Application of Lincoln Electric
System, Lincoln, seeking authority to construct, operate
and maintain electric transmission lines in Lancaster County: Motion
made by Commissioner Frank Landis, seconded by Commissioner Tim
Schram, to enter an order granting the application. Motion passed with
Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap
voting AYE, and Commissioner Rod Johnson excused not voting.

C-4459/
PI-185 In the Matter of the Nebraska Public Service Commission, on
its own motion, to investigate and monitor compliance with
federally mandated intercarrier compensation reform. Com-
missioner Frank Landis presiding as Hearing Officer: Gene Hand in-
formed the Commission that Hearing Officer Progression Order No. 7 was
entered June 6, 2013 clarifying that a carrier seeking revenue recov-
ery must certify that they are not seeking duplicative recovery for
any eligible recovery provided by the Federal Communications Commis-
sion (FCC) in its recovery mechanism. Carriers also must file informa-
tion on or before July 2, 2013, or the date filed with the FCC,
whichever is later.

COMMUNICATIONS DEPARTMENT(Cont.)

Gene Hand announced the Federal Communications Commission (FCC) will hold a workshop on Reforming Inmate Calling Service Rates on Wednesday, July 10, 2013.

Gene Hand reported that the current draft of the National Association of Regulatory Utility Commissioners (NARUC) Federalism Task Force Report on Cooperative Federalism and Telecom in the 21st Century has been posted to the NARUC website.

Gene Hand provided an update on the agenda for the Broadband Conference to be held on October 16 and 17, 2013 and shared that the initial notice to Broadband service providers relative to the next data collection will be sent soon.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

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). Commissioner Anne Boyle presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order dismissing the complaint in part. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

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: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving use of funding and advance of funds. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-042.38 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: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order approving use of funding and advance of funds. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order approving funding for Dockets 911-043.02, 911-043.03, 911-043.05, 911-043.06 and 911-043.07. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-043.02 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: US Cellular Corporation.

911-043.03 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: Sprint/Nextel.

911-043.05 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: Cricket Communications, Inc.

911-043.06 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless.

911-043.07 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service: Pinpoint Wireless, d/b/a BLAZE Wireless.

Sue Vanicek discussed the Hearing Officer orders entered June 12, 2013 in dockets NUSF-77.08 through NUSF-77.23 scheduling a planning conference for June 19, 2013 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

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. Commissioner Frank Landis presiding as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 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: Commissioner Frank Landis presiding as Hearing Officer.
- 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. Commissioner Frank Landis presiding as Hearing Officer.
- 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. Commissioner Frank Landis presiding as Hearing Officer.
- 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, Inc. Commissioner Frank Landis presiding as Hearing Officer.
- 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, Inc. Commissioner Frank Landis presiding as Hearing Officer.
- 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. Commissioner Frank Landis presiding as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 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. Commissioner Frank Landis presiding as Hearing Officer.
- 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. Commissioner Frank Landis presiding as Hearing Officer.
- 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. Commissioner Frank Landis presiding as Hearing Officer.
- 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, Inc. Commissioner Frank Landis presiding as Hearing Officer.
- 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. Commissioner Frank Landis presiding as Hearing Officer.
- 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. Commissioner Frank Landis presiding as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

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. Commissioner Frank Landis presiding as Hearing Officer.

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. Commissioner Frank Landis presiding as Hearing Officer.

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. Commissioner Frank Landis presiding as Hearing Officer.

Sue Vanicek discussed the Hearing Officer orders entered June 13, 2013 in docket NUSF-77.09 granting a motion to withdraw formal interventions and dockets NUSF-77.13 and NUSF-77.21 granting motions to withdraw protests:

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. Commissioner Frank Landis presiding as Hearing Officer.

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, Inc. Commissioner Frank Landis presiding as Hearing Officer.

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. Commissioner Frank Landis presiding as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-87/
C-4570 In the Matter of the Application of Nexus Communications, Inc., Columbus, Ohio for designation as an Eligible Telecommunications Carrier pursuant to 47 U.S. C. 214 (e) for low income support only. Commissioner Rod Johnson presiding as Hearing Officer: This matter was discussed on the Communications Department's agenda.

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 discussed Nebraska Energy Assistance Network activities. She also discussed an order entered by the Hearing Officer on June 4, 2013, rescheduling the hearing on June 19, 2013, from 9:00 a.m. to 2:00 p.m. in the Commission Hearing Room, Lincoln, and the Joint Stipulation filed June 13, 2013 executed by the Public Advocate and SourceGas Distribution LLC.

Laura Demman reported a total number of 10 consumer complaints and inquiries received during May. For each company: Black Hills 3; SourceGas 5; NorthWestern 1; and Other Entities 1.

TRANSPORTATION DEPARTMENT

B-1836 In the Matter of Madonna Rehabilitation Hospital, Lincoln, seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of passengers between points in Lancaster County, on the one hand, and on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: ADA Compliant wheelchair vans only. The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Rate Division

BR-421 In the Matter of Papio Transport Service, Inc., Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

BR-422 In the Matter of Madonna Rehabilitation Hospital, Lincoln, seeking authority to set its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

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 \$1.10 per mile and the Tariff 22 fuel surcharge at \$7.40 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-751/ In the Matter of John A. Fecht, Director, Warehouse Depart-
GWC-438 ment, Nebraska Public Service Commission, Complainant v. St. Paul Cooperative Grain Association, St. Paul, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving the stipulation and dismissing the complaint. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GW-2156 In the Matter of Norder Agri Supply, Inc., Hebron, NE: John Fecht discussed the shortage of wheat.

GW-2162 In the Matter of Kent Manning dba Manning Grain, Burress:
GD-2162 John Fecht presented a request to cancel grain warehouse and grain dealer licenses. Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve cancellation of the grain warehouse and grain dealer licenses. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GW-2187 In the Matter of Richardson Milling, Inc., f/k/a 21C Oats Inc., South Sioux City, requesting a name change and \$100,000.00 deductible on its stock insurance: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order recognizing the name change and granting a deductible waiver. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-2976/ In the Matter of John A. Fecht, Director, Warehouse Depart-
GDC-436 ment, Nebraska Public Service Commission, Complainant v.
Lackawanna Products Corp., Clarence, New York, Respondent:
Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim
Schram, to enter an order approving the stipulation and dismissing the
complaint. Motion passed with Commissioners Anne Boyle, Frank Landis,
Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson
excused not voting.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Com-
missioner Jerry Vap, to approve the Deputy Director's recommendation
to approve Commission invoices. Motion passed with Commissioners Anne
Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commis-
sioner Rod Johnson excused not voting.

As Central Services-OCIO	\$	6,905.41
AS Personnel-SOS		2,339.72
Holiday Inn, Hastings		1,155.00
Sprint Relay		50,724.13
Thomson Reuters		1,080.95
Voyager		1,676.82

The following invoices were paid between June 4 and June 17, 2013 and
should be ratified:

Ted Burkey	\$	1,228.50
Kent Pribyl		1,515.80

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	820.61
Amplified Phone Services		565.99
Beltone		3,706.87
Carl A. Johnson		372.34
Complete Hearing Solutions		238.88
Glassman Hearing Aid Technology		379.03
Grand Island Hearing Aid Center		652.10
Hamilton Telephone Company		326.95
Harris Communications		180.95
Professional Hearing Aid Services		593.10
A.G.N. Sales		333.84
Sprint Communications Company		99.99
Teltex Inc.		3,052.40
U-Save Pharmacy & Medical Supply		786.95
Weitbrecht Communications		109.00

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Deputy Director's recommendation to approve Commission minutes for May 2013. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Deputy Director's recommendation to change the status of an employee in the Grain Warehouse Department from probationary to permanent. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

The meeting adjourned at 10:30 a.m. with Commissioners Anne Boyle, Frank Landis, Gerald Vap and Tim Schram present and Commissioner Rod Johnson excused. The next regularly scheduled meeting will be held on June 25, 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 June 24, 2013.

Chair

Deputy Director