

Chair Anne Boyle called the regularly scheduled meeting to order at 10:01 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 July 2, 2013 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held July 9, 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:

Monday, July 15, 2013

10:00 Commission Hearing Room, Lincoln.
E911 Advisory Board Meeting

COMMUNICATIONS DEPARTMENT

Rod Armstrong discussed the preliminary agenda for the Broadband Connecting Nebraska Conference to be held October 16 and 17, 2013, at the Younes Center in Kearney. Charlotte Narjes discussed the regional broadband planning progress.

Cheryl Elton informed the Commission of complaints received in June 2013. She reported there were a total of 43 complaints: 32 wireline and 11 wireless. The complaints were categorized as 9 billing, 28 service and 6 miscellaneous issues.

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order authorizing payment. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4607 In the Matter of the Application of Ionex Communications North, Inc., Atlanta, Georgia, seeking financing approval: 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.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4608 In the Matter of the Application of Kentucky Data Link, Inc., Little Rock, Arkansas, seeking authority to change its name to Windstream KDL, Inc.: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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-4609 In the Matter of the Application of Norlight, Inc., Little Rock, Arkansas, seeking authority to change its name to Windstream Norlight, Inc.: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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-4610 In the Matter of the Application of Norlight Telecommunications, Inc., Little Rock, Arkansas, seeking authority to change its name to Windstream NTI, Inc.: Motion made by Commissioner Frank Landis, 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.

FCC 13-51 Access to Numbering Resources NPRM and NOI: Gene Hand reported that the staff will propose a method for filing comments in this docket at the July 16th Commission meeting.

WC 13-5 In the Matter of Technology Transitions Policy Task Force Seeks Comment on Potential Trials: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to ratify support for the letter filed on July 8th in this Federal Communications Commission (FCC) proceeding. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

WC 12-375 Gene Hand updated the Commission on further details provided by the Federal Communications Commission on the agenda for the July 10th workshop on inmate calling services.

Gene Hand reviewed the schedule for the Cox public business rate increase meetings to be held on July 11, 2013.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Shana Knutson discussed the Planning Conference Order entered by the Hearing Officer on July 2, 2013, for Dockets NUSF-77.08 through NUSF-77.23. A technical conference was scheduled for August 1, 2013 at 10:00 a.m. in the Niobrara Conference Room, Lincoln. A hearing was scheduled for September 10, 2013 at 10:00 a.m. in the Commission Hearing Room, Lincoln and September 11, 2013 at 10:00 a.m., if needed. Commissioner Frank Landis presiding as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 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.
- 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, Inc.
- 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.
- 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.

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.
- 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.
- 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

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.:

NATURAL GAS DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter Assessment Orders in Dockets NG-0039, NG-0067, and NG-0072. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0039 In the Matter of the joint application of Kinder Morgan,
HS-0013 Inc., Houston, Texas; KM Retail Utilities Holdco LLC,
Houston, Texas; Source Gas Distribution LLC, Lakewood,
Colorado, Source Gas Holdings LLC, Stamford, Connecticut;
and Source Gas LLC, Stamford, Connecticut; seeking approval
of the proposed transfer of Kinder Morgan, Inc.'s Nebraska
Certificate of Convenience and utility assets to Source Gas
Distribution LLC; and the proposed change of control of
Source Gas Distribution LLC from Kinder Morgan, Inc. to
Source Gas LLC. Commissioner Jerry Vap presiding as Hearing
Officer.

NG-0067 In the Matter of SourceGas Distribution LLC, Lakewood,
ES-001 Colorado, seeking approval of a general rate increase:
HS-006 Commissioner Jerry Vap presiding as Hearing Officer.

NG-0072 In the Matter of SourceGas Distribution LLC, Golden,
CA-003 Colorado, seeking approval of an infrastructure system
ES-003 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.

NATURAL GAS DEPARTMENT (Cont.)

FC-1359 In the Matter of the Formal Complaint of Marilyn M. Reeser, Grand Island, v. NorthWestern Energy, Sioux Falls, South Dakota, alleging inaccurate gas usage charges. Commissioner Jerry Vap presiding as Hearing Officer: Angela Melton discussed the complainant filing a Motion for Reconsideration on July 2, 2013, a Hearing Officer order entered July 3, 2013 setting a deadline of July 11, 2013, for NorthWestern Energy's response to the Motion for Reconsideration and NorthWestern's Objection to the Motion for Reconsideration filed on July 3, 2013.

Angela Melton reported a total number of 9 consumer complaints and inquiries received in June: Black Hills 2; SourceGas 5; NorthWestern 1; and Other Entities 1.

Angela Melton reported a total number of 111 consumer complaints and inquiries received during the Fiscal Year 2012-2013: Black Hills 25; SourceGas 50; NorthWestern 10; and Other Entities 26.

TRANSPORTATION DEPARTMENT

B-1717 In the Matter of Platinum Limousine Services, LLC, Norfolk, Supp. 3 seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of passengers by limousine bus statewide 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 Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1760 In the Matter of Timeless Transport, LLC, Omaha: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order to show cause and schedule a hearing for July 30, 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 Tim Schram was appointed as Hearing Officer

B-1816 In the Matter of Ronald A. King, Columbus, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in Platte County, and between points in Platte County, 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: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order to show cause and schedule a hearing for July 30, 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 Rod Johnson was appointed as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

B-1838 In the Matter of Blue Collar Limo Service, Bayard, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by limousine in Morrill, Scotts Bluff, Banner, Kimball, Cheyenne, Garden, Box Butte, Sheridan, and Sioux counties, and between points within such counties, on the one hand, and, on the one hand, and 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 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.

B-1840 In the Matter of Black Out Party Bus, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus between 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 Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

BR-424 In the Matter of Down The Hatch, Lincoln, seeking authority to set its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, 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-337 In the Matter of Blue Collar Limo Service, LLC, Bayard, seeking authority to set its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, 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 retained at \$1.08 per mile and the Tariff 22 fuel surcharge at \$7.32 per truck per trip.

Commissioner Rod Johnson exited the Commission Hearing Room.

GRAIN WAREHOUSE DEPARTMENT

GD-2706 In the Matter of Clyde Arnold and Son, Broken Bow: John Fecht informed the Commission of a request to cancel the grain dealer license effective June 27, 2013.

GD-2930/ In the Matter of John A. Fecht, Director, Warehouse Depart-
GDC-440 ment of the Nebraska Public Service Commission, Complainant v. George Pfeifer d/b/a George Pfeifer Trucking, Spencer, Respondent: John Fecht presented a filing of a new complaint.

GD-2930/ In the Matter of John A. Fecht, Director, Warehouse Depart-
GDC-437/ ment of the Nebraska Public Service Commission, Complainant
GDC-440 v. George Pfeifer d/b/a George Pfeifer Trucking, Spencer, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter orders scheduling a hearing for August 14, 2013 at 10:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting. Commissioner Jerry Vap was appointed as Hearing Officer.

GENERAL ADMINISTRATION

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

Attorney General	\$	8,166.00
Ted Burkey		1,183.00
James Harper		665.10
Fred Massing		1,745.00
NARUC-TR Daily Subscription		1,900.50
NARUC-Membership Dues		10,152.00
NARUC-NRRI Dues		5,000.00
Kent Pribyl		1,492.88
Ken Stadler		1,600.00
Voyager		2,060.95

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Beltone	\$	270.60
Alternative Hearing		478.02
Beltone		841.77
Carl A. Johnson		446.31
Glassman Hearing Aid Technologies		225.00
Professional Hearing Aid Services		501.95
Teltex		2,780.35
Weitbrecht Communications		109.00

GENERAL ADMINISTRATION (Cont.)

The following invoices were paid between June 25 and July 8, 2013 and should be ratified:

Anne Boyle	\$	610.20
Tim Schram		499.46

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve Commission minutes for the month of June 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 Tim Schram, seconded by Commissioner Frank Landis, to authorize Commissioner Anne Boyle to travel to and attend an FCC Workshop in Washington, D.C. on July 9 and 10, 2013 regarding Reforming Inmate Calling Service Rates. 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 Executive Director's recommendation to approve the purchase of five new E7500I grain lasers for the Grain Warehouse Department to be paid for by the Grain Auditing Cash Fund. 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 10:47 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 July 16, 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 July 15, 2013.

Chair

Executive Director