

Chairman Frank Landis 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. Chairman 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 January 21, 2014 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 28, 2014 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

#### COMMUNICATIONS DEPARTMENT

Gene Hand introduced Charlotte Narjes from the Broadband Planning Team who provided an update to the Commission.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter orders granting applications AD-569r through AD-571r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AD-569r      In the Matter of the Application of Meridian Central Public Affairs, LLC, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device in Denver, Colorado.

AD-570r      In the Matter of the Application of Meridian Central Public Affairs, LLC, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device in Las Vegas, Nevada.

AD-571r      In the Matter of the Application of Meridian Central Public Affairs, LLC, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device in Dallas, Texas.

C-4648      In the Matter of the Application of Ionex Communications North, Inc., Atlanta, Georgia, seeking approval of certain debt financing transactions: Motion made by Commissioner Anne Boyle, 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-4657 In the Matter of the Application of Cox Nebraska Telcom, LLC, Omaha, seeking a determination from the Nebraska Public Service Commission that local competition exists in the Omaha, Bellevue, Bennington, Elkhorn, Gretna, LaVista, Papillion, Valley and Waterloo Exchanges, pursuant to Neb. Rev. Stat. §86-143: Commissioner Anne Boyle was appointed as Hearing Officer.

TRS-14 In the Matter of Gene Hand, Director of Communications Department of the Nebraska Public Service Commission, Complainant, v. Long Lines Wireless, LLC, Sergeant Bluff, Iowa, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-050.02 In the Matter of the Third Petition of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless for support from the E-911 Wireless Service Provider (WSP) Grant Program. Commissioner Jerry Vap presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's order entered January 24, 2014, extending the deadline for pre-filed testimony to February 11, 2014 and continuing the hearing previously scheduled for February 4, 2014 to February 18, 2014 at 2:00 p.m. in the Commission Hearing Room, Lincoln.

911-058/  
PI-188 In the Matter of the Commission, on its own motion, seeking to conduct a study to examine issues surrounding the state-wide implementation of Next-Generation 911 funded through the Enhanced Wireless 911 Fund as required by LB 595 [2013]: Commissioner Jerry Vap was appointed as Hearing Officer.

NUSF-95/  
FC-1361 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Windstream Nebraska, Inc., Respondent(s): Sue Vanicek discussed opening a complaint against Windstream.

Sue Vanicek discussed the NUSF late-filed and late-paid Carrier Remittances, recommending that complaints be opened against Quantum Shift Communications and Unite Private Networks, LLC: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to open complaints against Quantum Shift Communications and Unite Private Networks, LLC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0076 In the Matter of the Application of Interconn Resources, LLC, Birmingham, AL, seeking authority for a Competitive Natural Gas Provider Certificate in the State of Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter a Protective Order and an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0013 In the Matter of the Commission, on its own motion, to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act [LB 790, 2003]. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Progression Order 42. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

LEGISLATIVE

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

Rate Division

BR-442 In the Matter of Rockin N Rollin, Council Bluffs, Iowa, seeking authority to establish its rates and charges: Motion made by Commissioner Tim Schram, 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.

BR-443 In the Matter of BWZ, LLC, dba Playmakers Bar & Grill, Lincoln, seeking authority to establish its rates and charges: Motion made by Commissioner Tim Schram, 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.

BR-444 In the Matter of Executive Coach, LLC, Paxton, seeking authority to establish 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.

TRANSPORTATION DEPARTMENT (Cont.)

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 fuel surcharge to \$7.60 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-2185 In the Matter of Pride Enterprises, Inc, Long Pine: John Fecht discussed the shortage of soybeans.

Grain Dealer Division

GD-2996 In the Matter of the Application of CPI-Lansing LLC, Overland Park, KS, seeking authority as a grain dealer pursuant to Neb. Rev. Stat. Section §75-903 (Reissue 1996): Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, To enter an order granting the grain dealer license. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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.

AS Central Services-Network Services	\$	4,185.16
University of Nebraska-Broadband Planning		169,468.33
Parrish, Blessing & Associates, Inc.		6,000.00
Protex Central		637.50
Gerald Vap		789.60

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Accessibility Dot Net Inc.	\$	311.10
Alternative Hearing		515.46
Beltone		571.17
Complete Hearing Solutions PC		1,202.70
Glassman Hearing Aid Technology		224.59
Grand Island Hearing Aid		224.59
Professional Hearing Aid Services		978.50
Teltex, Inc.		1,914.00
Weitbrecht Communications		137.45

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to not extend the current Telecommunications Relay System Contract with Sprint Communications Company, L.P. and to instead seek competitive bids through an RFP. Motion passed with Commissioners Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioners Anne Boyle and Tim Schram voting NAY.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to appoint Gene Hand as the Commission's representative on a Working Group under the Nebraska Public Safety Communications Committee (NPSCC) to design a FirstNet network in Nebraska. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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The meeting adjourned at 10:48 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 February 4, 2014 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on February 3, 2014.

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Chairman

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Executive Director