

Chairman Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Anne Boyle excused. Chairman Frank 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 13, 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 May 20, 2014 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, May 20, 2014:

- 1:30 Commission Hearing Room, Lincoln
NUSF-32.13 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure by certain telecommunications companies to comply with Commission Rules or Orders and to impose administrative fines. Commissioner Tim Schram presiding as Hearing Officer.
- 2:00 Commission Hearing Room, Lincoln
911-050.01 In the Matter of the Second 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.

COMMUNICATIONS DEPARTMENT

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

COMMUNICATIONS DEPARTMENT (Cont.)

C-4669 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of an Interconnection Agreement and CenturyLink Local Services Platform Agreement with BCN Telecom, Inc., Bedminster, New Jersey: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

E-2366 In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Gene Hand reported the combined broadband mapping and planning team is scheduled to meet next Wednesday, May 21, 2014, at 1:30 p.m. in the Commission Hearing Room.

Gene Hand reported that Neil Miller was elected chair of the FirstNet Work Group and Tom Casady was elected vice chair at the meeting held Monday, May 19, 2014.

Gene Hand reported National Association of Regulatory Utility Commissioners (NARUC) did file comments in the Federal Communications Commission (FCC's) docket seeking input on requests for waivers of the FCC's Call Completion rules.

Gene Hand shared that Cox Communications informed the Public Service Commission 345 Cox wireless hot spots are now in service in Omaha offering download speeds up to 15 mb and upload speeds up to 4 mb.

Gene Hand shared information made public relative to AT&T's agreement to buy Direct TV for \$67 Billion and intend to complete the transaction within the next twelve months.

Gene Hand reported Sprint Corporation agreed to pay \$7.5 Million to the Federal Communications Commission (FCC's) Enforcement Bureau for not honoring consumers' requests to opt out of telephone and text messages.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-020.08/ In the Matter of Sue Vanicek, Director of the DC-86 Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. BCN, Telecom, Inc., Comtech 21, LLC., Diller Telephone Company, NetTalk.com, Inc., Respondent(s): Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order setting a hearing for July 29, 2014 at 1:30 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 "N" Street, Lincoln, Nebraska. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. Commissioner Rod Johnson appointed as Hearing Officer.

911-024.38 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Columbus Police Department: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order granting amended access. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram to enter orders approving funding in Dockets: 911-042.13; 911-042.15; 911-042.19; 911-042.28; 911-042.30; 911-042.31; 911-042.36 thru 911-042.38; 911-042.40; 911-042.45; 911-042.55; 911-042.56; 911-042.58; 911-042.60; 911-042.61; 911-042.63; 911-042.66; 911-042.68 and 911-042.72. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

911-042.13 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: Merrick County:

911-042.15 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: Hamilton County:

911-042.19 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: Saline County:

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.28 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: Seward County:
- 911-042.30 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: Jefferson County:
- 911-042.31 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: Thurston County:
- 911-042.36 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: Nuckolls County:
- 911-042.37 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: Morrill County:
- 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:
- 911-042.40 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: Mid Rivers 911 Center:
- 911-042.45 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: Dundy County:

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.55 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: Howard County:
- 911-042.56 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: York County:
- 911-042.58 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: Region 26 Council:
- 911-042.60 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: Thayer County:
- 911-042.61 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: Otoe County:
- 911-042.63 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: Scottsbluff County:
- 911-042.66 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: Antelope County:
- 911-042.68 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: Butler County:
- 911-042.72 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: Kearney County:

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-92.02 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from Cable TV Company of Stanton: Commissioner Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order of May 14, 2014 granting motion to withdraw formal intervention of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless.

NUSF-92.05 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from Consolidated Telephone Company: Commissioner Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order of May 14, 2014 granting motion to withdraw formal intervention of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless.

NUSF-92.08 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from Great Plains Communications: Commissioner Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order of May 14, 2014 granting motion to withdraw formal intervention of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless.

NUSF-92.10 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from Nebraska Central Telephone Company: Commissioner Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order of May 14, 2014 granting motion to withdraw formal intervention of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless.

NUSF-92.11 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless: Commissioner Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order of May 14, 2014 granting motion to withdraw formal intervention of Consolidated Telco, Consolidated Telecom, Consolidated Telephone, Great Plains Communications, Nebraska Central Telephone Company and Stanton Telecom.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap to enter orders granting formal intervention in Dockets NG-0072.1, NG-0078, NG-0079. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NG-0072.1 In the Matter of SourceGas Distribution LLC, Golden, Colorado, seeking approval to adjust an infrastructure system replacement cost recovery charge, pursuant to Sections 66-1865 and 66-1866 of the State Natural Gas Regulation Act. Commissioner Rod Johnson was appointed as Hearing Officer.

NG-0078 In the Matter of the Application of SourceGas Distribution LLC, Golden, Colorado, seeking an order authorizing it to put into effect a system safety and integrity rider tariff and a system safety and integrity rider charge. Commissioner Rod Johnson was appointed as Hearing Officer.

NG-0079 In the Matter of the Application of SourceGas Distribution LLC, Golden, Colorado, seeking authority to reflect changed depreciation rates on its Nebraska Books of Account effective May 1, 2014, without impacting existing rates. Commissioner Rod Johnson was appointed as Hearing Officer.

TRANSPORTATION DEPARTMENT

B-1439 In the Matter of Transport Plus of Lincoln dba Transport Plus, Lincoln, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1439 until May 19, 2015: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order suspending the authority in Certificate B-1439 until May 19, 2015. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

B-1855 In the Matter of Benstrans, Chadron, seeking authority as a common carrier in the transportation of passengers by van between points in Dawes, Box Butte, Sheridan and Sioux counties, and between points in 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: Yes. Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the application as amended. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

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 \$8.00 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

Schedule A & E Rates In the Matter of Fixing Reasonable Storage Rates and Charges for Public Grain Warehouses: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram to enter an order setting the A & E storage rates for the 2014-2015 year. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

GENERAL ADMINISTRATION

Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, 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 Relay	\$	39,949.34
Gerald Vap		789.60

The following invoices were paid between 5/13/14 and 5/19/14 and should be ratified:

Anne Boyle	\$	688.30
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Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to ratify approval of the Public Advocate's contracts for consulting services with Blue Ridge Consulting Services, Inc. and William Dunkel and Associates with an effective date of May 2, 2014. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

The meeting adjourned at 10:15 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Anne Boyle excused. The next regularly scheduled meeting will be held on May 28, 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 May 27, 2014.

Chairman

Executive Director