

Chairman Frank Landis called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Anne Boyle excused. 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. Chairman Landis announced that there will be no Commission meeting next week.

#### GENERAL ADMINISTRATION

Notice was duly published July 1, 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 July 7, 2014 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 7, 2014:

1:30 Commission Hearing Room, Lincoln  
911-060/ In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions. Commissioner Jerry Vap presiding as Hearing Officer.  
PI-191

#### Tuesday, July 8, 2014:

1:00 Pierce County Fairgrounds, Pavilion  
GWC-441/ In the Matter of John A. Fecht, Director Warehouse Department, Nebraska Public Service Commission v. Pierce Elevator  
GW-2136/ Inc., Pierce. Commissioner Rod Johnson presiding as Hearing  
GD-2136 Officer.

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in June 2014. She reported that there were a total of 41 complaints: 32 - wireline and 9 - wireless. The complaints were categorized as follows: 14 billing, 18 service and 9 miscellaneous issues.

C-4667 In the Matter of the Application of Steve Albrecht, Pierce, seeking authority to receive telephone service from the Pierce exchange of the Pierce Telephone Company. Commissioner Rod Johnson presiding as Hearing Officer: 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.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4671 In the Matter of the Joint Application of Time Warner Cable, Inc., New York, New York, and Comcast Corporation, Philadelphia, Pennsylvania, seeking approval of a transfer of control: Motion made by Commissioner Tim Schram, 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.

C-4684 In the Matter of the Application of AccessLine Communications Corporation, Bellevue, Washington, seeking authority to add the trade name of Voice Telco Services, Inc.: Motion made by Commissioner Jerry Vap, 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.

C-4687 In the Matter of the Application of Cable USA III, LLC, Scottsbluff, Nebraska, seeking approval to withdraw its local and interexchange authorities: Motion made by Commissioner Jerry Vap, 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.

John Burvainis informed the Commission that we have reached the 10 remaining codes milestone established in our 402 Area Code Relief Plan that triggers the availability of 531 numbers for assignment.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-060/ In the Matter of the Commission, on its own motion, seeking  
PI-191 to investigate and determine whether additional funds from  
the Enhanced Wireless 911 Fund should be made available to  
public safety answering points for costs to implement text to 911  
solutions. Commissioner Jerry Vap presiding as Hearing Officer:  
Joselyn Luedtke discussed the Hearing Officer's Order entered July 3,  
2014, granting the Motion for Admission Pro Hac Vice for Mr. Alan  
Dublinske on behalf of CTIA-The Wireless Association.

Joselyn Luedtke informed the Commission that the next scheduled meeting of the Wireless E-911 Advisory Board will be on July 28, 2014 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

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: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order sustaining the show cause and assessing administrative penalties. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Joselyn Luedtke discussed the late-filed and late-paid NUSF Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to levy late fees against Global Connection, Inc. of America, PBN, LLC, Telefonica USA, Inc. and Telephone Systems of Nebraska, Inc. and that complaints be opened against US Telecom Long Distance, Inc., Time Warner Cable Business, LLC. and Lattice, Inc. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter Assessment Orders in Dockets NG-0072.1, NG-0078, and NG-0079. 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 presiding as Hearing Officer.

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 BE-001 BE-002 66-1865 and 66-1866 of the State Natural Gas Regulation CA-001 Act.

NG-0078 In the Matter of the Application of SourceGas Distribution BE-001 LLC, Golden, Colorado, seeking an order authorizing it to BE-002 put into effect a system safety and integrity rider tariff CA-001 and a system safety and integrity rider charge.

NG-0079 In the Matter of the Application of SourceGas Distribution BE-002 LLC, Golden, Colorado, seeking authority to reflect changed CA-001 depreciation rates on its Nebraska Books of Account effective May 1, 2014, without impacting existing rates.

Angela Melton reported a total number of 13 consumer complaints and inquiries received at the Commission during June. For each company: Black Hills - 4; SourceGas - 8; NorthWestern - 0; and Other Entities - 1.

NATURAL GAS DEPARTMENT (Cont.)

Angela Melton reported a total number of 128 consumer complaints and inquiries received at the Commission during the 2013-2014 Fiscal Year. For each company: Black Hills - 26; SourceGas - 46; NorthWestern - 20; and Other Entities - 36.

TRANSPORTATION DEPARTMENT

B-1856 In the Matter of Easy Access, LLC, d/b/a Easy Access Transportation, Omaha, Nebraska, seeking authority as a common carrier of passengers by van over irregular routes in Douglas, Sarpy, Cass and Lancaster counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Upon agreement of all Commissioners present, a hearing was scheduled for September 24, 2014, 10:00 a.m., in the Commission Hearing Room in Lincoln. Commissioner Tim Schram was appointed Hearing Officer.

B-1871 In the Matter of the Big Green Machine Party Bus, Yutan, Nebraska, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in charter and special party service between all 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 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.

BR-455 In the Matter of the Application of Russell H. Peterson d/b/a Russ Bus, Omaha, Nebraska, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. (Reissue 2012), Chapter 75, Articles 1 and 3: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

BR-457 In the Matter of the Application of Big Green Machine Party Bus, Yutan, Nebraska, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. (Reissue 2012), Chapter 75, Articles 1 and 3: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application on an emergency basis. 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.)

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: Mark Breiner updated the Commission on the household goods tariff surcharge. 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

GW-19 In the Matter of the grain warehouse license renewals for etal the second quarter of 2014: Nichole Mulcahy discussed second quarter grain warehouse renewal licenses.

GW-1154 In the Matter of Cooperative Producers, Inc., Hastings, NE: Nichole Mulcahy discussed grain shortage determined and corrected May 19, 2014.

GW-1805 In the Matter of Scheitel Feed & Seed Company, Falls City, NE: Nichole Mulcahy discussed the license cancellation, per applicant's request effective June 17, 2014.

GD-19 In the Matter of grain dealer license renewals for the etal second quarter of 2014: Nichole Mulcahy discussed second quarter grain dealer renewal licenses.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, 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.

Attorney General	\$	5,444.00
Ted Burkey		1,228.50
Latimer Reporting		1,092.80
Fred Massing		4,042.00
Parrish, Blessing & Associates, Inc.		6,000.00
Ken Stadler		1,600.00
Kent Pribyl		864.00

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	709.80
Audiology and Hearing Center		532.86
Beltone		226.73
Carl A. Johnson		330.34
Complete Hearing Solutions, PC		262.54
Glassman Hearing Aid Technology		192.49

GENERAL ADMINISTRATION (Cont.)

Grand Island Hearing Aid Center	\$	325.19
Harris Communications		140.95
Sprint Communications		399.98
Talk To Me Technologies, LLC		521.22
Teltex, Inc		2,407.70
Western Hearing Solutions		6,402.75

The following invoices were paid between June 24, 2014 and July 3, 2014 and should be ratified:

AS Central Services-Network Services	\$	2,997.03
Anne Boyle		739.20
Tim Schram		533.12

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Steve Stovall to travel to and attend the National Association of State Relay Administration (NASRA) Annual Conference to be held in Portland, Maine, from September 21-24, 2014 with expenses to be paid by the Commission. 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 Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Kent Pribyl to travel to Clay Center, Kansas to perform a Modular Housing Unit factory inspection of Wardcraft Homes on July 9, 2014 with all expenses, including time, to be reimbursed to the Commission by Wardcraft Homes. 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 Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to enter into closed session to discuss personnel issues. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. The Commission entered into closed session at 10:26 a.m.

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to return to open session. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. The Commission returned to open session at 10:29 a.m.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve the 2014-2015 cost of living adjustments for agency personnel effective July 1, 2014. 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 Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve a salary increase for three employees in the Grain Warehouse Department. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

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The meeting adjourned at 10:30 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 July 22, 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 July 21, 2014.

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Chairman

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Executive Director