

Chairman Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap 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. Chairman Landis announced that there will be no Commission Meeting next week. The next meeting will be held on Monday, November 24th.

GENERAL ADMINISTRATION

Notice was duly published November 4, 2014 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held November 13, 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:

Thursday, November 13, 2014:

- 1:30 Commission Hearing Room, Lincoln
911-002 In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund. Commissioner Jerry Vap presiding as Hearing Officer.
- 2:30 Commission Hearing Room, Lincoln
Wireless E911 Advisory Board Working Group

Thursday, November 20, 2014:

- 10:00 Commission Hearing Room, Lincoln. Oral Argument
Commissioner Rod Johnson presiding 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 system safety and integrity rider charge.
- 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.

COMMUNICATIONS DEPARTMENT

C-4690/ NUSF-98 In the Matter of the Application of Q Link Wireless, LLC, Dania, Florida, seeking authority for designation as an Eligible Telecommunications Carrier for the limited purpose of participating in the Lifeline program in the State of Nebraska. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order withdrawing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4717 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to enter a second lease agreement of dark fiber to Pinpoint Communications, Inc., Cambridge: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, 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-4719 In the Matter of the Application of ILD Corp. and its regulatory subsidiary Intellicall Operator Services, Inc., Ponte Vedra Beach, Florida, seeking authority to transfer customers to WiMacTel, Inc., Omaha: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, 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-4720 In the Matter of the Application of Missouri Network Alliance, LLC d/b/a Bluebird Network, LLC, Columbia, Missouri, seeking authority to provide facilities-based and resold competitive local exchange service in the State of Nebraska: 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.

E-2380 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand informed the Commission about the Broadband Mapping/Planning Grant.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving funding requests, in part, for Dockets 911-042.12, 911-042.35 and 911-042.73 and approving funding requests in full for Dockets 911-042.41 and 911-042.66. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE:

- 911-042.12 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: Kimball County
- 911-042.35 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: Burt County
- 911-042.41 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: City of Beatrice
- 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
- 911-042.73 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: Sheridan County

Sue Vanicek discussed the failure of Consumer Cellular, Inc. to timely submit their 3rd Quarter, 2014 report: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to open a complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

- NUSF-33/
PI-68 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the audit requirements related to the Nebraska Universal Service Fund: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the reconsideration of a denied audit waiver request. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-37.310 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Legacy Long Distance International, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order dismissing complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-98/ In the Matter of the Application of Q Link Wireless, LLC, C-4690 Dania, Florida, seeking authority for designation as an Eligible Telecommunications Carrier for the limited purpose of participating in the Lifeline Program in the State of Nebraska: This matter was addressed on the Communications Department's agenda.

NUSF-100/ In the Matter of the Nebraska Public Service Commission, on PI-193 its own motion, to consider revisions to the universal service fund contribution methodology: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order opening the docket and seeking comments due February 13, 2015, with reply comments due April 13, 2015. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 3, Motor Carrier Rules and Regulation #182 regulations, to rewrite the chapter in its entirety. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order releasing the fourth set of proposed rules with comments due December 5, 2014 and scheduling a hearing for December 16, 2014, at 2:00 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

FC-1362 In the Matter of Happy Cab, et. al., v. Servant Cab dba Yellow Cab Company and Capital Cab Company: Upon agreement of all Commissioners, a hearing was scheduled for December 22, 2014, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Rod Johnson was appointed as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

B-1494 In the Matter of Midlands Services, Link, Inc., Omaha:
Motion made by Commissioner Jerry Vap to enter an order dismissing the show cause and canceling the hearing previously scheduled for December 2, 2014. The motion died for lack of a second.

B-1849 In the Matter of Somali Bantu Association of Nebraska, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van over irregular routes in Douglas and Sarpy counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Mark Breiner informed the Commission that a Hearing Officer order was entered November 5, 2014, continuing the hearing previously scheduled for November 6-7, 2014, to a date later to be determined.

M-14199 In the Matter of Flat Rate Movers, LLC, Elkhorn, seeking a name change to Flat Rate Movers, dba Black Belt Movers, Elkhorn: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order changing the name from Flat Rate Movers, LLC, in Certificate M-14199 to Flat Rate Movers dba Black Belt Movers, Elkhorn. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish fuel surcharges in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F surcharge was increased to \$1.10 per mile and the Tariff 22 surcharge to \$7.60 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, 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-OCIO	\$	1,064.00
AS Central Services-Printing		677.67
AS Central Services-Printing		758.48
Ted Burkey		1,888.25
Fred Massing		2,590.00
Sprint Relay		42,594.81
Ken Stadler		1,600.00
Thomas Reuters		1,191.75
Voyager		2,217.07
Kent Pribyl		846.69

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

A.G.N. Sales	\$	794.77
Alternative Hearing		494.06
Beltone		581.87
Carl A. Johnson		457.62
Complete Hearing Solutions		663.02
Grand Island Hearing Aid Center		423.50
Harris Communications		511.85
Professional Hearing Aid Services		242.52
Hearing Aid Center of Columbus		158.31
Sherard Hearing Centers		428.86
Teltex, Inc.		481.25
White's Hearing Aid Specialists		218.19
Weitbrecht Communications		1,239.60
Western ENT Associates		235.35

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to enter into an Interagency Agreement with the Office of the Chief Information Officer (OCIO) to provide web hosting and mapping service to support the Nebraska Broadband Mapping Project with initial set-up costs of \$491.25 and an annual recurring charge of \$4,212. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission entered into closed Session at 10:36 a.m.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 10:41 a.m.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to accept the resignation of Laurie Casados effective December 31, 2014 and to open for hire the position of Accountant/Analyst in the Nebraska Telecommunications Infrastructure and Public Safety (NTIPS) Department. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve a salary increase for an employee in the General Administration Department and to upgrade a General Administration employee from probationary to permanent status. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:43 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on November 24, 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 November 21, 2014.

Chairman

Executive Director