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Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Gerald Vap present and Commissioner Frank Landis excused. Chairman Vap 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 27, 2015 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 3, 2015 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in January 2015. She reported there were a total of 27 complaints: 23 wireline and 4 wireless. The complaints were categorized as follows: 7 billing, 10 service and 6 miscellaneous issues.

AD-589r In the Matter of the Application of Dane & Associates, Front Royal, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Salt Lake City, Utah: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-4733 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of an Interconnection Agreement with Airus, Chicago, Illinois: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order approving the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Gene Hand discussed the TRS Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, that complaints be opened against Great Plains Broadband, Inc. and Great Plains Communications, Inc. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Gene Hand reported that Federal Communications Commission (FCC) Chairman Wheeler is circulating a draft order to preempt state laws in Tennessee and North Carolina that prevent expansion of municipal broadband networks.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-92.31 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 NebraskaLink Holdings. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the motion to withdraw a portion of the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Sue Vanicek discussed the Hearing Officer Orders entered January 29, 2015, granting Viaero Wireless' motion to withdraw formal interventions in Dockets NUSF-92.17 through NUSF-92.28, NUSF-92.31, NUSF-92.32, NUSF-92.34, NUSF-92.36, NUSF-92.37, NUSF-92.39, NUSF-92.40, NUSF-92.42 and NUSF-92.43. Commissioner Frank Landis presiding as Hearing Officer:

NUSF-92.17 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 Arapahoe Telephone Company.

NUSF-92.18 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 Cambridge Telephone Company.

NUSF-92.19 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 CenturyLink.

NUSF-92.20 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 City of Lincoln.

NUSF-92.21 In the Matter of the Nebraska Public Service Commission, on its own motion seeking to administer the Nebraska Universal Service Fund's Broadband Program received from Consolidated Telephone Companies.

NUSF-92.22 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 Cox Telcom, LLC and the Salvation Army.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- NUSF-92.23 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 Eastern Nebraska Telephone Company.
- NUSF-92.24 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 Glenwood Network Services, Inc.
- NUSF-92.25 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 Glenwood Telecommunications, Inc.
- NUSF-92.26 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, Inc.
- NUSF-92.27 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 Hamilton Long Distance Company.
- NUSF-92.28 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 K & M Telephone Company.
- NUSF-92.31 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 NebraskaLink Holdings.
- NUSF-92.32 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 Pinpoint Communications.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- NUSF-92.34 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 Plainview Telephone Company and City of Plainview-Library.
- NUSF-92.36 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 Rock County Telephone Company.
- NUSF-92.37 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 United States Cellular Company.
- NUSF-92.39 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 Windstream Communications.
- NUSF-92.40 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 Inventive Wireless of Nebraska, LLC d/b/a Vistabeam.
- NUSF-92.42 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 CenturyLink/Adoption Program.
- NUSF-92.43 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 Pinpoint Communications/Adoption Program.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-92.20 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 the City of Lincoln. Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer Orders entered January 29, 2015 approving non-resident attorney Matthew Feil on behalf of Windstream and approving Windstream's motion for formal intervention.

Sue Vanicek discussed the waiver request received from Big River Telephone Company: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to grant a one-time waiver request to Big River Telephone Company for late-filed worksheets. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

RULES AND REGULATIONS

Rule and Regulation #192 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 1, Rules of Commission Procedure, to update the chapter in its entirety: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order releasing the second set of proposed rules and seeking comments due March 13, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Rule and Regulation #193 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 14, Recreational Vehicles Rules and Regulations, to adopt the 2014 and 2015 editions of applicable code books and update related information regarding availability of code provisions: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order issuing a Certificate of Adoption for proposed rules. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

LEGISLATIVE

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to ratify positions on LB 104, LB 192, LB 460 and LB 597. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT

B-1729 In the Matter of Omaha Fiesta Bus, Omaha, seeking to change the ownership of the certificate holder: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

B-1855 In the Matter of Benstrans, Chadron, seeking authority as a common carrier in Nebraska intrastate commerce 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. All trips to originate in the said counties. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order suspending the authority in Certificate B-1855 until January 21, 2016. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

BR-468 In the Matter of Unity Transit, LLC, Omaha, seeking authority to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. (Reissue 2014), Chapter 75, Articles 1 and 3: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an order granting the application in part and denying in part on an emergency basis. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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 retained at \$.58 per mile and the Tariff 22 surcharge at \$2.32 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich provided an update on the financial status of the department and an update on the Housing and Urban Development (HUD) manufactured housing program.

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 Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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GENERAL ADMINISTRATION (Cont.)

AS Central Services-RMS Courses	\$ 1,509.00
ESRI	4,343.47
Fred Massing	1,381.00
Mission Critical Partners, Inc.	1,122.00
Mission Critical Partners, Inc.	7,933.33
Parrish, Blessing & Associates, Inc.	6,000.00
Ken Stadler	1,509.38
Mark Luttich	764.58
Frank Landis	110.98
Crystal Rhoades	957.45
Tim Schram	889.53

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to ratify the purchase of one (1) new computer for use in the Communications Department for an estimated cost of \$730. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to ratify the purchase of two (2) office chairs from Office Interiors for use by a Commissioner at a cost of \$977.91. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

John Burvainis informed the Commission on the Governor's recommended budget for the agency.

The meeting adjourned at 10:41 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Tim Schram and Gerald Vap present and Commissioner Frank Landis excused. The next regularly scheduled meeting will be held February 10, 2015 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 9, 2015.



Chairman



Executive Director

