

Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present and Commissioner Rod Johnson excused. Chairman Vap announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room and invited the public to address the Commission. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published October 13, 2015 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held October 20, 2015 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Wednesday, October 21, 2015:

10:00 Commission Hearing Room, Lincoln
B-1849 In the Matter of Somali Bantu Association of Omaha, Nebraska, seeking authority as a common carrier 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. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Commissioner Crystal Rhoades presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4788 In the Matter of the Application of OrbitCom, Inc., Sioux Falls, South Dakota, seeking approval to withdraw its local exchange certificate of authority and relinquish its eligible telecommunications carrier designation: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-4790 In the Matter of Northeast Nebraska Telephone Company, Jackson, seeking a waiver of the requirement of 291 NAC 5, §002.06 regarding public pay stations: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4785 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a Re-sale Agreement with InTTec, Inc., Gillette, Wyoming: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order approving the application. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Gene Hand discussed TRS Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, that a one-time waiver be granted for PBN, LLC and Pierce Telephone, Inc. and that a complaint be opened against Entelegent Solutions, Inc. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-002 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund. Commissioner Gerald Vap presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for November 17, 2015 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska 322 Telecommunications Infrastructure of Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Skybeam Acquisition Corporation, Respondent(s): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

NUSF-50 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to make adjustments to the Universal Service Fund mechanism established in NUSF-26: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order authorizing payments and seeking comments due December 10, 2015. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-99 In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Universal Service Fund High-Cost Program: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an order authorizing payments. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

RULES AND REGULATIONS

Rule and Regulation #194 In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 3, Motor Carrier Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 629 [2015] regarding Transportation Network Companies (TNC). Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, enter an order releasing the second set of rules and scheduling a hearing for December 1, 2015 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TRANSPORTATION DEPARTMENT

MCC-3189 In the Matter of Mark J. Breiner, Director, Motor Transportation Department, vs. Lyft, Inc.: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order dismissing the complaint with prejudice. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

BR-489 In the Matter of Emerald Limousine, Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

LR-348 In the Matter of Limousine Services, Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

LR-349 In the Matter of Bus at the Yard dba Luxury Limousine, Lincoln, seeking authority to establish its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson 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 fuel surcharge was retained at \$.58 per mile and the Tariff 22 fuel surcharge at \$2.32 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GD-3009 In the Matter of the Application of Dennis Commodities, LLC, O'Neill, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2009): Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order granting the Grain Dealer License. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GENERAL ADMINISTRATION

Chairman Vap invited the public to address the Commission.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Comfort Inn	\$	765.00
Sprint Relay		31,342.84
Thomson Reuters		1,251.34

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

A.G.N. Sales	\$	1,110.42
Alternative Hearing		643.23
Audiology & Hearing Center		187.00
Beltone		464.16
Complete Hearing Solutions		399.04
Connect Hearing		1,555.19
Harris Communications		661.80
Hearing Aid Center of Columbus		231.02
Carl A. Johnson		417.39
Professional Hearing Aid Services		731.07

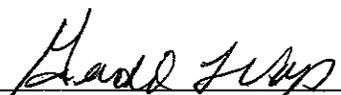
GENERAL ADMINISTRATION (Cont.)

Sherard Hearing Aid Centers	948.19
Sprint Communications	1,899.94
Teltex	8,033.40
Weitbrecht Communications	217.45

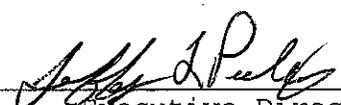
Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to approve the Executive Director's recommendation to purchase eight (8) desktop computers for use in the General Administration Department (5), Communications Department (1), Transportation Department (1) and NTIPS Department (1), one (1) laptop for use in the Railroad Department and one (1) monitor for use in the Communications Department. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting. The computers, laptop and monitor will replace existing machines as per the Commission's computer replacement schedule.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve a contract with Ken Stadler for manufactured home and modular housing unit plan review effective November 30, 2015. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

The meeting adjourned at 10:17 a.m. with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present and Commissioner Rod Johnson excused. The next regularly scheduled meeting will be held October 27, 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 October 26, 2015.



 Chairman



 Executive Director

