

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 announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room and invited the public to address the Commission. Chairman Vap announced that there will be no Commission meeting next week.

## GENERAL ADMINISTRATION

Notice was duly published October 27, 2015 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held November 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 October 2015. She reported that there were a total of 45 complaints: 34 - wireline and 11 - wireless. The complaints were categorized as follows: 13 billing, 20 service and 12 miscellaneous issues.

C-4794 In the Matter of the Application of Tim O'Hara, Clarks, Nebraska, seeking authority to receive advanced telecommunications service from the Hordville Exchange of Hamilton Telephone Company: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, 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-4791 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an Interconnection Agreement with QuantumShift Communications, Inc., San Ramon, California: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, 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 reported that Plainview Telephone Company has been named as a Certified Gig-Capable Provider by the National Telephone Cooperative Association (NTCA) - The Rural Broadband Association. This designation recognizes communications networks capable of delivering Internet speeds of up to 1 gigabit per second.

Steve Stovall reported on the National Association of State Relay Administration (NASRA) Conference held in Jackson Hole, Wyoming, on September 25-26, 2015.

## TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-042.64 In the Matter of the Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Sarpy County: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order approving funding. 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 NUSF Late-Filed carrier remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to levy late-fees against Global Connection Inc. of America and Skywave Wireless; open complaints against Bandwidth.com, Inc., Estech Systems, Inc., Intermedia Voice Services, Inc. and MegaPath Cloud Company, Inc.; and waive late fees to Enventis Telecom, Inc., Citizens Telecommunications Company of Nebraska and Frontier Communications of America. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

## NATURAL GAS DEPARTMENT

NG-0084 In the Matter of the joint application of SourceGas Distribution, LLC, SourceGas Holdings, LLC, both of Golden, Colorado, and Black Hills Utility Holdings, Inc., Papillion, Nebraska, seeking necessary authorizations and approvals for Black Hills Holdings, Inc. to acquire SourceGas Holdings, LLC. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter Assessment Order BE-004. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Nichole Mulcahy reported a total number of 9 consumer complaints and inquiries received during October. For each company: Black Hills 2; SourceGas 5; NorthWestern 0; and Oil Pipeline 2.

## TRANSPORTATION DEPARTMENT

B-1802 In the Matter of Camelot Transportation, Inc., Kearney, Nebraska, seeking to expand its authority as a common carrier of passengers by vans by the removal of its restriction against point-to-point transportation in Lancaster County, and by the amendment of language related to transportation services originating within Lancaster County to groups of six (6) or less not authorized. HHS Designation: Yes: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades voting AYE and issuing a concurring opinion; Rod Johnson, Tim Schram, and Jerry Vap voting AYE; and Commissioner Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

B-1892 In the Matter of 4 Pax, LLC, d/b/a Caliber Patient Care, Omaha, seeking to change an existing operation by the transfer of stock ownership: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an order granting the application and authorizing acquisition of control through stock transfer. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

BR-490 In the Matter of Standfast Transportation, Inc., Omaha, seeking to amend its rates and charges subject to the Provisions of Neb. Rev. Stat. (Reissue 2014), Chapter 75, Articles 1 and 3: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting the application 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 fuel surcharge was decreased to \$.54 per mile and the Tariff 22 fuel surcharge was decreased to \$1.96 per truck per trip.

GENERAL ADMINISTRATION

Chairman Vap invited the public to address the Commission. No public comments were received.

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.

Attorney General	\$	8,166.00
Ag-Express		8,270.00
Fred Massing		1,286.00
Ken Stadler		1,600.00
Crystal Rhoades		893.62
Tim Schram		625.60

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Commission minutes for October, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to approve the Executive Director's recommendation to purchase a 2016 Intermediate 4 Door Sedan Flex Fuel Vehicle. 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 Crystal Rhoades, to approve the Executive Director's recommendation to require Commissioner/employee contribution of \$30.00 per person for monthly parking passes. 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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The meeting adjourned at 10:25 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 November 17, 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 November 16, 2015.

  
Chairman

  
Executive Director