

Chairman Tim Schram called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present and Commissioner Rod Johnson excused. Chairman Schram announced that a copy of the Nebraska Open Meetings Act is posted in the meeting room and invited the public to address the Commission. No public comments were received and no announcements were made.

GENERAL ADMINISTRATION

Notice was duly published January 26, 2016 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on February 2, 2016 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Tuesday, February 9, 2016:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

COMMUNICATIONS DEPARTMENT

Gene Hand informed the Commission of complaints received in January 2016. He reported that there were a total of 33 complaints: 27 - wireline and 6 - wireless. The complaints were categorized as follows: 15 billing, 11 service and 7 miscellaneous issues.

C-4803 In the Matter of the Application of Local Access LLC, Windermere, Florida, seeking authority to operate as a local exchange carrier within the State of Nebraska: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Gene Hand reported on the One Call Board meeting in York on January 28, 2016.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-1 In the Matter of the Commission, on its own motion, seeking PO #7 to establish guidelines for administration of the Nebraska Universal Service Fund: Clearly Communications: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to grant Clearly Communications' request for an extension to February 15, 2016, to submit the Remittance Audit, which was due December 31, 2015. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-37.324 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Fibervision, LLC, Respondent(s). Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order dismissing the complaint. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

LEGISLATIVE

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to ratify positions on LB 927, 938, 795, and 1003. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TRANSPORTATION DEPARTMENT

B-1791 In the Matter of the Application of Royal Transportation Company, Omaha, Nebraska, seeking authority in open class service in the transportation of passengers by van in Nebraska over irregular routes as a contract carrier for Nebraska Department of Health and Human Services: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Jerry Vap, to enter an order of pending dismissal. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

B-1911 In the Matter of DJB Enterprises, LLC d/b/a Midwest Mobility, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus between points in Lancaster County, 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. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order of pending dismissal. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

M-14219 In the Matter of Dale Bierman d/b/a Gentle Giant Movers, Columbus, seeking a name change to Dale Bierman d/b/a Dolly Giant Movers: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving the name change. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson 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 fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: Mark Breiner reported to the Commission that the Tariff 7F fuel surcharge decreased to \$0.30 and the Tariff 22 fuel surcharge remained at \$0.00.

GRAIN WAREHOUSE DEPARTMENT

GW-852 In the Matter of the application of Country Partners Cooperative, Gothenburg, Nebraska, requesting a \$25,000.00 deductible on its stock insurance: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GW-2188 In the Matter of Beemer Grain, L.L.C., Beemer, Nebraska: This item was passed over.

GD-2995 In the Matter of BT Ag, LLC, Seward, Nebraska: Jamie Reyes reported on the cancellation of the dealer license on January 22, 2016.

GENERAL ADMINISTRATION

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

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

Kent Pribyl	\$	757.38
Fred Massing		1,359.00
Gerald L. Vap		1,083.60
Ted Burkey		1176.00
AG Express Electronics		675.00

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to surplus a 2008 Chevy Impala. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

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The meeting adjourned at 10:24 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 on February 9, 2016 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 8, 2016.


Chairman


Executive Director