

Chair Boyle called the regularly scheduled meeting to order at 1:35 p.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

#### GENERAL ADMINISTRATION

Notice was duly published March 23, 2002, on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on March 19, 2002, at 1:30 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

#### TRANSPORTATION DEPARTMENT

B-1375 In the Matter of Dashabout Roadrunner, Inc., Buffalo Springs Ranch, Akron, Colorado, seeking to extend its authority as a common carrier of passengers and their baggage in Nebraska intrastate commerce by van/mini-bus in open class service between points in Butler, Colfax, Madison, Merrick, Platte, Polk, Saunders, and Stanton counties over irregular routes: Upon agreement of all Commissioners, the application was granted as amended.

B-1418 In the Matter of Innovative Marketing, Inc., dba The "Big Red Bus", Lincoln, seeking to extend the suspension of the Certificate of Public Convenience & Necessity issued in Application B-1418 until March 14, 2002: Upon agreement of all Commissioners, an Order to Show Cause was entered.

B-1498 In the Matter of Running Horse Enterprises, LLC, Hastings, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1498 until March 12, 2003: Upon agreement of all Commissioners, the application was granted and Certificate B-1498 suspended.

B-1514 In the Matter of All Nations Church of the Lord Jesus Christ, dba All Nations Specialized Transport and Travel Service, Lincoln: Upon agreement of all Commissioners, the order issued on March 5, 2002, was vacated and Certificate B-1514 was suspended.

B-1560 In the Matter of Kevin Onken, dba Barker Cleaners, Sidney: Upon agreement of all Commissioners, an Order to Show Cause was entered.

B-1574 In the Matter of Brad A. Fletcher, dba Chauffeurs To Go, Bellevue, seeking authority as a common carrier of passengers in Nebraska intrastate commerce to provide limousine service over irregular routes between points in Nebraska utilizing private vehicles owned by the customer and driven by the applicant. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Upon agreement of all Commissioners, the application was dismissed.

## TRANSPORTATION DEPARTMENT (Cont.)

B-1579 In the Matter of Terry Lee Blakey, dba Need A Lift Transportation, Omaha, seeking authority as a common carrier of passengers in Nebraska intrastate commerce in open class service between points in Douglas, Sarpy and Cass Counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Upon agreement of all Commissioners, the application was dismissed without prejudice.

B-1517 In the Matter of Comstock Corporation, dba Action Cab, Supp. 2 Grand Island, seeking to acquire, through transfer, the authority granted to Hastings Taxi and Transportation Services, LLC, Hastings: Upon agreement of all Commissioners, the application was set for modified procedure.

B-1551 In the Matter of Platinum Builders, Inc., dba Platinum Limousine Service, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by luxury or stretch limousine between points in Cass, Dodge, Douglas, Lancaster and Sarpy counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: The video hearing previously set for March 6, 2002, was rescheduled for April 24, 2002, at 9:00 a.m. in the Commission Library, Lincoln, and the Nebraska State Office Building, 2<sup>nd</sup> Floor, Room 207, 1313 Farnam, Omaha.

Upon agreement of all Commissioners, authorization was granted to dispose of expired PSC plates.

Commissioner Boyle discussed the number of cab complaints being received and suggested a meeting be scheduled between Bob Harrison, John Schmidt, Andy Pollock and the Commissioners.

Rate Division

BR-273 In the Matter of Laidlaw Transit, Inc., Omaha, seeking authority to amend its charter bus rates: Upon agreement of all Commissioners, the application was granted.

LR-231 In the Matter of A-1 Ambassador Limousine, Inc., dba Ambassador Limousine, Lincoln, seeking authority to establish an additional limousine rate: Upon agreement of all Commissioners the application was granted.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-E: The fuel surcharge was raised to six cents and the taxi surcharge was raised to 15 cents per trip.

## GRAIN WAREHOUSE DEPARTMENT

Upon agreement of all Commissioners, authorization was granted to destroy expired Grain Dealer plates.

Upon agreement of all Commissioners, authorization was granted to destroy expired moisture meter stickers.

GW-1136 In the Matter of Central Farmers Cooperative, Nonstock, Elgin, seeking to buy the grain represented on lost Negotiable Grain Warehouse Receipts B657619, B657620, B657621, and B657622: The application was granted.

GW-2008 In the Matter of Richland Grain, Inc., Richland, seeking cancellation of its Public Grain Warehouse License: The application was granted effective March 6, 2002. The hearing previously set for March 15, 2002, was cancelled.

GW-2138 In the Matter of Atlanta Elevator, Inc., Atlanta and Funk: Upon agreement of all Commissioners, an order was entered taking title to the grain, directing the grain be sold and setting a claims filing deadline. A hearing was set for May 30, 2002, at 1:00 p.m. at the Holdrege Middle School, 600 14th Avenue, Holdrege. In the event the hearing is not concluded on May 30, 2002, it will continue to May 31, 2002, at 9:00 a.m. at the same location.

## COMMUNICATIONS DEPARTMENT

FC-1292 In the Matter of Credit Bureau of Scottsbluff, Inc., Scottsbluff, vs. Sprint, Inc., Lincoln, alleging violations relating to call blocking: Upon agreement of all Commissioners, the Complaint was dismissed without prejudice and the hearing set for March 26, 2002, was cancelled.

FC-1296 In the Matter of Cox Nebraska Telcom, L.L.C., Omaha, and Illuminet, Olympia, Washington, vs. Qwest Communications, Inc., Omaha, alleging violations of state law and policy, as well as tariff obligations: Gene Hand informed the Commission that this complaint was filed March 4, 2002, and notification was sent to Qwest that if a Statement of Satisfaction is not filed, the answer date will be March 23, 2002.

C-2112/ In the Matter of the Commission, on its own motion, seeking  
PI-30 to conduct an investigation into specific areas of concern in the provisioning of payphones in the state of Nebraska: Upon agreement of all Commissioners, an order was entered closing the docket.

C-2696/ In the Matter of the Commission, on its own motion, seeking

PI-57 to conduct an investigation into payphone pricing in the state of Nebraska: Upon agreement of all Commissioners, an order was entered opening the docket and setting a comment period.

COMMUNICATIONS DEPARTMENT (Cont.)

C-2620 In the Matter of QX Telecom LLC, New York, New York, seeking authority to operate as a facilities-based and resold inter-exchange carrier of telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, orders were entered to vacate the January 29, 2002, order and to grant authority to the correctly identified applicant.

C-2666 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of its revised statement of generally available terms (SGAT) pursuant to Section 252(f) of the 1996 Telecommunications Act: Upon agreement of all Commissioners, the application was granted.

C-2669 In the Matter of Vivian Telephone Company, Wall, South Dakota, seeking authority to change the name of G.W.S., Inc. to Vivian Telephone Company and to verify that Vivian Telephone Company has the authority to operate the Gregory, Burke and Bonesteel exchanges in South Dakota: Upon agreement of all Commissioners, the application was granted.

C-2674 In the Matter of MVX.COM Communications, Inc., Novato, California, seeking approval to change the name of its operating authority, previously granted in Applications C-2171 and C-2279, to QuantumShift Communications, Inc.: Upon agreement of all Commissioners the application was granted.

C-2676 In the Matter of CenturyTel Telecommunications, Inc., Monroe, Louisiana, seeking authority for cancellation of its Certificate of Public Convenience and Necessity to provide inter-exchange telecommunications and withdrawal of tariff: Upon agreement of all Commissioners, the application was granted and the certificate canceled.

C-2704 In the Matter of the petition from residents of the Pilger exchange, served by Qwest Corporation, requesting extended area service (EAS) to the Wisner exchange, served by Great Plains Communications: Gene Hand informed the Commission this docket was opened and discussed its current status. Qwest has been notified to provide a traffic study pursuant to Commission Rules.

C-2587 In the Matter of Sonix4U, Inc., Southfield, Michigan, seeking authority to operate as a resold interexchange carrier of telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, the application was granted.

5029

C-2591 In the Matter of Telegenius, Inc., Metairie, Louisiana, seeking authority to operate as a resold interexchange carrier of telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, the application was granted.

## COMMUNICATIONS DEPARTMENT (Cont.)

C-2655 In the Matter of Gold Line Telemanagement, Inc., Richmond Hill, Ontario, Canada, seeking authority to operate as a resale common carrier of telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, the application was granted.

C-2656 In the Matter of Southeast Nebraska Telephone Company, d/b/a Southeast Nebraska Long Distance, seeking authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, the application was granted.

C-2665 In the Matter of ECI Communications, Inc., d/b/a ITS Network Services, Fresno, California, seeking authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, the application was granted.

C-2670 In the Matter of the joint application of Qwest Corporation and TCG-Omaha, both of Denver, Colorado, jointly seeking Amendment No. 4 Collocation Decommission Amendment to their interconnection agreement in the state of Nebraska, previously approved in Application C-1379: Upon agreement of all Commissioners, the amendment was granted.

C-2671 In the Matter of the joint application of Qwest Corporation and TCG-Omaha, both of Denver, Colorado, jointly seeking Amendment No. 3 Collocation Cancellation Amendment to their interconnection agreement in the state of Nebraska, previously approved in Application C-1379: Upon agreement of all Commissioners, the amendment was granted.

C-2672 In the Matter of the joint application of Qwest Corporation and AT&T Communications of the Midwest, Inc., both of Denver, Colorado, jointly seeking Amendment No. 4 Collocation Decommission Amendment to their interconnection agreement in the state of Nebraska, previously approved in Application No. C-1385: Upon agreement of all Commissioners, the amendment was granted.

C-2673 In the Matter of the joint application of Qwest Corporation and AT&T Communications of the Midwest, Inc., both of Denver, Colorado, jointly seeking Amendment No. 3 Collocation Cancellation Amendment to their interconnection agreement in the state of Nebraska, previously approved in Application C-1385: Upon agreement of all Commissioners, the amendment was granted.

COMMUNICATIONS DEPARTMENT (Cont.)

C-2675 In the Matter of the joint application of Qwest Corporation Denver, Colorado, and CitiStream, Lincoln, jointly seeking approval of their voluntarily-negotiated wireline Interconnection Agreement: Upon agreement of all Commissioners, the Interconnection Agreement was approved.

FC-1294 In the Matter of RVW, Inc., Columbus, vs. MCI WorldCom Communications, Inc., Denver, Colorado, alleging unfair billing: A hearing was set for April 9, 2002, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

C-2470 In the Matter of Capsule Communications, Inc., Bensalem, Pennsylvania, seeking authority to transfer control to Startec Global Communications Corporation: Gene Hand informed the Commission that notification was received March 12, 2002, from the United States Bankruptcy Court of the District of Maryland setting a date for a meeting of creditors and deadlines for claims to be filed.

Gene Hand discussed Qwest's March 11, 2002, filing regarding information on the proceeding in Minnesota, wherein Qwest has been accused of not filing for approval from the Minnesota Public Utilities Commission of certain provisions of 11 Interconnection Agreements between Qwest and competitive local exchange carriers.

Gene Hand presented the agenda for the Building Information Age Communities Conference to be held in Aurora on April 12, 2002. Upon agreement of all Commissioners, authorization was granted for Gene to attend.

Gene Hand presented a report prepared by Laura Davenport on activities at the Federal Communications Commission.

Engineering Department

E-1945 In the Matter of South Central Public Power District, Nelson, seeking authority to construct, operate and maintain

5031

electric transmission lines in Adams and Webster Counties: Upon agreement of all Commissioners, the application was granted.

## WIRELESS E-911 DEPARTMENT

PSAP-001 In the Matter of Sarpy County PSAP, Papillion, seeking approval of funding for recurring and non-recurring costs associated with implementation of Wireless E911: Upon agreement of all Commissioners, a clarification order was entered.

## WIRELESS E-911 DEPARTMENT

PSAP-002 In the Matter of Douglas County PSAP, Omaha, seeking approval of funding for recurring and non-recurring costs associated with implementation of Wireless E911: Upon agreement of all Commissioners, a clarification order was entered.

## UNIVERSAL SERVICE FUND

NUSF-27 In the Matter of Nebraska Technology & Telecommunications, Inc., Lincoln, requesting Universal Service support for supported services provided in Qwest and Citizens exchanges: Upon agreement of all Commissioners, an Order was entered granting the Motion for a Protective Order.

## GENERAL ADMINISTRATION

The Commission approved the following invoices:

DAS - Materiel Division - Office Supplies	\$ 941.42
DAS - Materiel Division - Postage	276.80
DAS - Materiel Division - Printing & Copy Service	693.38
IM Services - Data Processing	32.46
Data Source Media	289.46
Hamilton Relay, Inc.	87,061.85
QSI Consulting Inc.	300.00
Sleep Inn Lincoln	346.22
Super 8 Motel	503.69
The Daily Record	444.70
Town & Country Auto	338.87

5032

Randy Nelson	265.55
NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM	
Aksarben TDD Service	1,722.40
HITEC Group Int'l Inc	213.95
The Hearing Clinic Inc	338.97
Hearing Aid Specialists Inc	556.00

Upon agreement of all Commissioners, Commission and Administrative minutes for the month of February 2002 were approved.

GENERAL ADMINISTRATION (Cont.)

Upon agreement of all Commissioners, Administrative and Commission meeting dates for the months of April, May and June, 2002, were set as follows:

April 2	10:00 AM 1:30 PM	Administrative Meeting Commission Meeting
April 9	10:00 AM	Administrative Meeting
April 23	10:00 AM 1:30 PM	Administrative Meeting Commission Meeting
April 30	10:00 AM	Administrative Meeting
May 7	10:00 AM 1:30 PM	Administrative Meeting Commission Meeting
May 14	10:00 AM	Administrative Meeting
May 22	10:00 AM 1:30 PM	Administrative Meeting Commission Meeting
June 4	10:00 AM 1:30 PM	Administrative Meeting Commission Meeting

5033

June 11	10:00 AM	Administrative Meeting
June 18	10:00 AM	Administrative Meeting
	1:30 PM	Commission Meeting

Upon agreement of all Commissioners, authorization was granted for two PSC members to attend a seminar sponsored by the Division of Communications to be held in Lincoln from April 3-5, 2002.

Upon agreement of all Commissioners, authorization was granted for Randy Mohr and Tim Sandusky to attend the Federal Railroad Administration Regional Conference for Region 6 to be held in Lake Ozarks, Missouri, from April 14-19, 2002, with all expenses to be paid by the FRA.

Upon agreement of all Commissioners, authorization was granted for Gene Hand to attend the National Conference of Regulatory Utility Commission Engineers (NCRUCE) conference to be held on Jekyll Island, Georgia, from June 23-27, 2002.

GENERAL ADMINISTRATION (Cont.)

Attention was called to the following proceedings:

Wednesday, March 20, 2002:

GW-2062	Commission Hearing Room, Lincoln.
9:30 CST	BEEGS, Inc., dba Julian Ag Service, Julian. Commissioner Landis chairing.
E911-001/ PI-52	Commission Hearing Room, Lincoln.
10:00 CST	The Commission, on its own motion, seeking to establish guidelines for the administration of the Enhanced Wireless 911 Fund. Commissioner Vap chairing.
GW-452	Commission Hearing Room, Lincoln.
GWC-367	John A. Fecht, Complainant, vs. Reikofski Grain, Inc., Foster, Defendant. Commissioner Rod Johnson chairing
1:30 CST	

Friday, March 22, 2002:

GW-2008 Central Community College, Columbus Campus, Room 205,  
10:00 CST West Education Center, 4500 63rd Street, Columbus.  
Richland Grain, Inc., Richland, claims hearing. Com-  
missioner Rod Johnson chairing.

Rules and Regulations

Rule and Regulation #152 In the Matter of the Commission, on its own motion, seek-  
ing to amend Title 291, Chapter 5, Telecommunications Rules  
and Regulations, by adding Sections 006, Nebraska Internet  
Enhancement Fund Program, and Section 007, Dark Fiber  
Leasing, and to adopt rules in accordance with the provisions of LB 827  
[2001]: Upon agreement of all Commissioners, a Certificate of Adoption  
was entered.

Commissioner Rod Johnson moved that the Commission go into  
closed session to discuss personnel issues and Commissioner Vap  
seconded the motion. The Commission went into closed session at 2:30  
p.m.

Commissioner Rod Johnson moved during closed session to  
recess until March 20, 2002, at 2:00 p.m. and Commissioner Landis  
seconded the motion. The Commission recessed at 2:45 p.m.

GENERAL ADMINISTRATION (Cont.)

The Commission reconvened in closed session at 2:09 p.m. on  
March 20, 2002, with Commissioners Boyle, Rod Johnson, Lowell Johnson,  
Landis and Vap present.

Commissioner Vap moved that the Commission return to open  
session and Commissioner Lowell Johnson seconded the motion. The  
Commission returned to open session at 3:13 p.m.

Upon agreement of all Commissioners, approval was granted to  
offer Mr. Everett, et al. to contract to load and transport Atlanta  
Elevator Grain.

\*\*\*\*\*

The meeting adjourned at 3:15 p.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on April 2, 2002, at 1:30 p.m. with an agenda to be available in the office of the Executive Director at 1:30 p.m. on April 1, 2002.

---

Chair

---

Executive Director