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Chair Boyle called the regularly scheduled meeting to order at 1:37 p.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

## GENERAL ADMINISTRATION

Notice was duly published May 14, 2002, on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on May 22, 2002, at 1:30 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

## TRANSPORTATION DEPARTMENT

B-1459 In the Matter of Red River Limo Service, Minden: Upon agreement of all Commissioners, an Order to Show Cause was entered and a hearing set for July 2, 2002, at 2:30 p.m. in the Commission Hearing Room, Lincoln.

B-1559 In the Matter of D & L Express, Inc., Atkinson, seeking Supp. 1 authority as a common carrier (charter and special party) in intrastate commerce between points in Nebraska over irregular routes. The use of a 16 passenger van/bus or larger is authorized. RESTRICTIONS: The transportation of passengers in Richardson County is not authorized. The transportation of railroad train crews is not authorized. The transportation of clients for the Nebraska Department of Health and Human Services or subcontractors thereof is not authorized: Upon agreement of all Commissioners, the application was granted.

B-1580 In the Matter of Charles A. Ward, dba Panda Transportation, Valentine, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers including the transportation of Health and Human Services clients and prisoners in open class service by van between points in Nebraska over irregular routes: Upon agreement of all Commissioners, the application was granted as amended.

B-1558 In the Matter of MAVM Ventures, LLC, dba A & B Shuttle, Supp. 2 Omaha, seeking to extend its authority as a common carrier of passengers in Nebraska intrastate commerce in open class service including clients of the Nebraska Department of Health and Human Services or subcontractors thereof between points in Douglas, Sarpy, and Lancaster Counties on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: Extension of existing authority to include sedans and buses: A hearing was set for July 18, 2002, at 9:00 a.m. in the Commission Library, Lincoln; Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam, Omaha; Public Library, Second Floor, 517 West 4<sup>th</sup> Street, Hastings; and Von Riesen Library, Room 6, 1205 East 3<sup>rd</sup> Street, McCook. Commissioner Boyle was designated as hearing officer.

## TRANSPORTATION DEPARTMENT (Cont.)

M-14171 In the Matter of Albert McClain, dba Al's Hauling & Moving Co., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in Douglas County: Upon agreement of all Commissioners, the application was granted.

M-14172 In the Matter of Kenneth L. Summers, dba Premier Moving Services, Norfolk, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in and within a 150-mile radius of Norfolk over irregular routes: Upon agreement of all Commissioners, the application was dismissed and the hearing set for June 19, 2002, was cancelled.

M-14174 In the Matter of Mack Moving & Storage LLC, dba Mack Moving and Storage, Holdrege, seeking to change an existing operation through transfer and change an existing operation through merger: Upon agreement of all Commissioners, temporary authority was granted.

Rate Division

BR-275 In the Matter of R & F Hobbies, Inc., dba Prince of the Road, Ravenna, seeking authority to amend its non-charter individual passenger service rates: 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 retained at 8 cents and the taxi surcharge at 15 cents per trip.

## GRAIN WAREHOUSE DEPARTMENT

In the Matter of Schedule "A" Rates and Charges: A hearing was set for June 18, 2002, at 11:00 a.m. in the Commission Hearing Room, Lincoln.

In the Matter of Schedule "E" Rates and Charges: A hearing was set for June 18, 2002, at 11:00 a.m. in the Commission Hearing Room, Lincoln.

GW-87 In the Matter of John A. Fecht, Director, Warehouse Department, Complainant, vs. Northeast Cooperative, West Point: GWC-373 Upon agreement of all Commissioners, an order was entered to dismiss the complaint as satisfied. The hearing previously scheduled for June 11, 2002, was cancelled.

GW-452 In the Matter of Reikofski Grain, Inc., Foster: The Commission agreed that Reikofski Grain should be billed for the surveillance fees and actual expenses associated with the grain load

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out.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

Grain Dealer Division

GD-1746     In the Matter of John A. Fecht, Director, Warehouse Depart-  
GWC-370     ment, Complainant, vs. George L. Verbeek dba Verbeek Truck-  
            ing, Roca: Upon agreement of all Commissioners, an order  
was entered to dismiss the complaint as satisfied. The hearing  
previously set for June 11, 2002, was cancelled.

COMMUNICATIONS DEPARTMENT

Dick Palazzolo reported on the ROC conference.

FC-1296/    In the Matter of Cox Nebraska Telcom, L.L.C. and Illumnet  
FC-1297     vs. Qwest Communications, Inc: Upon agreement of all Com-  
            missioners, a pre-hearing conference order was entered to  
consolidate the complaints for hearing and disposition. A hearing was  
set for September 9 and 10, 2002, at 9:30 a.m. in the Commission  
Hearing Room, Lincoln.

FC-1298     In the Matter of A.B.I. Universal Messaging Center, Fremont,  
            vs. Qwest Corporation, alleging unacceptable service (call  
forwarding): Gene Hand informed the Commission that Qwest's answer was  
received on May 3, 2002.

FC-1299     In the Matter of Marcia Dammann, Saint Libory, vs. Qwest  
            Corporation, alleging unfair billing: Gene Hand informed  
the Commission that Qwest's answer was received on May 14, 2002. The  
staff was authorized to schedule a pre-hearing conference.

C-1830     In the Matter of US West Communications, Inc., Denver,  
            Colorado, seeking authority to file its notice of intention  
to file Section 271(c) application with the FCC and request for the  
Commission to verify US West's compliance with Section 271(c): The  
following topics were discussed:

- A)     AT&T's motion to re-open 271 proceeding.
- B)     Community Internet concurrence with said motion.
- C)     AT&T's motion to continue June 3, 2002, hearing.
- D)     AT&T's response to Qwest's motion for QPAP Rehearing
- E)     AT&T's supplemental authority regarding Washington's  
            May 20, 2002, denial of QPAP reconsideration.

C-2722     In the Matter of Network Plus, Inc., Randolph, Massachu-  
            setts, seeking authority to discontinue service and cancel  
telecommunications authorization granted in Application C-1190: Upon  
agreement of all Commissioners, the application was withdrawn at

applicant's request.

COMMUNICATIONS DEPARTMENT (Cont.)

C-2723 In the Matter of the joint application of Citizens Telecommunications Company of Nebraska, Inc., Burnsville, Minnesota, and Pinpoint Communications, Cambridge, seeking approval of their voluntarily-negotiated interconnection agreement: Upon agreement of all Commissioners, the application was granted.

C-2727 In the Matter of Hamilton Telephone Company, Aurora, seeking approval of rates, terms and conditions for wireless terminating traffic and approval of its wireless terminating traffic tariff: Upon agreement of all Commissioners, the application was withdrawn at applicant's request.

C-2703 In the Matter of LCR Telecommunications, L.L.C., Grosse Pointe Woods, Michigan, 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-2712 In the Matter of NOW Communications, Inc., Lawrenceville, Georgia, seeking a Certificate of Public Convenience and Necessity authorizing it to operate as a reseller of interexchange telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, the application was granted.

C-2717 In the Matter of Consolidated Long Distance, Inc., Lincoln, 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-2720 In the Matter of Arizona Telephony Brokers, L.L.C., Scottsdale, Arizona, 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-2721 In the Matter of Telliss, L.L.C., Fishers, Indiana, seeking authority to obtain a Certificate of Public Convenience and Necessity to transact the business of a reseller of interexchange telecommunications services and for approval of its initial tariff: Upon agreement of all Commissioners, the application was granted.

C-2725 In the Matter of North By NortheastCom, L.L.C., Beaverton, Oregon, seeking authority to operate as a resale carrier of intrastate interLATA and intraLATA telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, the

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application was granted.

COMMUNICATIONS DEPARTMENT (Cont.)

C-2732 In the Matter of the Commission, on its own motion, seeking to assign "211" to United Way of the Midlands 'First Call For Help' (FCFH) for Dodge and Cass Counties: The hearing previously set for June 5, 2002, was continued to June 20, 2002, at 2:00 p.m. in the Commission Hearing Room, Lincoln. Commissioner Boyle was designated as hearing officer.

WIRELESS E-911 DEPARTMENT

WSP-002 In the Matter of Verizon Wireless, Alpharetta, Georgia, seeking approval of the request for funding of enhanced wireless 911 service: Upon agreement of all Commissioners, the application was granted.

UNIVERSAL SERVICE FUND

NUSF-24 In the Matter of the Commission, on its own motion, seeking Progression to establish filing guidelines for the purpose of disaggregating federal universal service support: Upon agreement Order #3 of all Commissioners, the disaggregation plans of carriers selecting Path Two are approved, and a copy of this order forwarded to the Universal Service Administration Company.

GENERAL ADMINISTRATION

Upon agreement of all Commissioners, the Administrative and Commission meetings previously set for June 4, 2002, were rescheduled as a Commission meeting only on June 5, 2002, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

PI-59 In the Matter of the Commission, on its own motion, seeking to conduct an investigation into the funding structure of the Commission: Upon agreement of all Commissioners, an investigation was opened to examine possible elimination of general fund appropriations to the Public Service Commission which topic is being studied by the Legislature in LR 328 [2002] and LR 456 [2002].

Commissioner Vap moved that the Commission go into closed session to discuss personnel issues and Commissioner Lowell Johnson seconded the motion. The Commission went into closed session at 2:15

p.m.

Commissioner Vap moved that the Commission return to open session and Commissioner Lowell Johnson seconded the motion. The Commission went into closed session at 2:15 p.m.

GENERAL ADMINISTRATION (Cont.)

Upon agreement of all Commissioners, approval was granted for adjustments in salary and/or work hours for three General Administration employees.

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The meeting adjourned at 2:30 p.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on June 5, 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 June 4, 2002.

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Chair

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Executive Director