

Chair Boyle called the regularly scheduled meeting to order at 9:30 a.m. with Commissioners Boyle, Lowell Johnson, Landis and Vap present and Commissioner Rod Johnson excused.

GENERAL ADMINISTRATION

Notice was duly published July 9, 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 July 16, 2002, at 9:30 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Gene Hand provided the Commission with a copy of a July 12, 2002, letter from Senator Ernest Hollings to Federal Communications Commission (FCC) Chairman Michael K. Powell, addressing the financial condition of telecommunications companies and seeking information on the steps the FCC is taking to prevent potential service disruptions.

C-2483/ PI-43 In the Matter of the Commission, on its own motion, seeking to reexamine its retail quality of service standards for all local exchange carriers operating within the state of Nebraska: Gene Hand discussed the May service quality report filed by ALLTEL on June 28, 2002.

CC Docket 01-338 96-98 98-147 In the Matter of the Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; and Deployment of Wire-line Services: Offering Advanced Telecommunications Capability: Reply comments of the Public Service Commission were approved.

Gene Hand discussed the July 10, 2002, letter from AT&T asking the Commission to overturn Neustar's decision denying AT&T's request for ten blocks of numbers for one of their customers. AT&T requests the Commission invoke the informal "Safety Valve" process found at 47 C.F.R. 52.15 (g)(4) so that AT&T may serve its customers. The staff was directed to gather further information and the matter will be addressed at the July 23, 2002, Commission meeting.

FC-1296/ FC-1297 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 and Alltel Nebraska, Inc. and ALLTEL Communications of Nebraska, Inc., Complainant, vs. Qwest Corporation, Respondent, requesting a review of Qwest's Common Channel Switched

COMMUNICATIONS DEPARTMENT (Cont.)

FC-1296/ Access Capability Signaling rate elements as set forth in  
FC-1297 Qwest's Access Service Catalog: Hearing Officer Boyle will  
address the Motions for Protective Order filed July 12,  
2002, on behalf of Cox Nebraska Telecom, L.L.C., ALLTEL, Inc., ALLTEL  
Communications of Nebraska, Inc., and Illuminet, Inc. and the Motion  
for Protective Order filed July 16, 2002, by Qwest. The Oral Argument  
previously scheduled for July 9, 2002, was continued to July 22, 2002,  
at 1:00 p.m. in the Commission Library, Lincoln.

C-2734/ In the Matter of the Commission, on its own motion, seeking  
DC-38 an order to cease and desist operations for Access One,  
Inc.: A hearing was set for August 20, 2002, at 3:00 p.m.  
in the Commission Hearing Room, Lincoln, with Commissioner Lowell  
Johnson presiding as Hearing Officer.

Engineering Department

E-1956 In the Matter of Nebraska Public Power District, Columbus,  
seeking authority to construct, operate and maintain an  
electric transmission line in Hall County: Upon agreement of all  
Commissioners present, the application was granted.

PIPELINE DEPARTMENT

P-0004 In the Matter of Peoples Natural Gas, Omaha, seeking  
resolution of a dispute under Neb. Rev. Stat. 57-1306:  
Upon agreement of all Commissioners present, the Motion for Rehearing  
and/or Reconsideration was granted.

WIRELESS E-911 DEPARTMENT

Kara Thielen reported on approved funding to PSAP and wire-  
Less providers.

911-001/ In the Matter of the Commission, on its own motion, seeking  
PI-52 to establish guidelines for the administration of the  
Enhanced Wireless 911 Fund: Upon agreement of all Commis-  
sioners present, Progression Order No. 5 was entered adopting guide-  
lines.

PSAP-013 In the Matter of Keith County PSAP, Ogallala, seeking  
approval of funding for recurring and non-recurring costs  
associated with implementation of Wireless E911: Upon agreement of  
all Commissioners present, an order was entered modifying the July 9,  
2002, order and approving an amended request for funding.

RULES AND REGULATIONS

Rule and Regulation #154 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 7, Transmission Lines Rules and Regulations, to adopt the 2002 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines and to recodify the document in its entirety to meet Secretary of State formatting requirements: A hearing was set for August 27, 2002, at 11:00 a.m. in the Commission Hearing Room, Lincoln.

GRAIN WAREHOUSE DEPARTMENT

John Fecht discussed the following shortages:

GW-14 Shortage of corn at Laurel Feed & Grain Co., Laurel  
GW-22 Shortage of wheat and soybeans at Ag Valley Cooperative, Non-Stock, Edison  
GW-87 Shortage of oats at Northeast Cooperative, Wakefield  
GW-181 Shortage of corn at Lisco Elevator Incorporated, Lisco:  
GW-199 Shortage of corn at Meyer & Meyer Grain, Randolph  
GW-279 Shortage of wheat at Farmers Co-operative Elevator Company, Plymouth  
GW-599 Shortage of wheat and milo at Agri Co-op, Holdrege  
GW-615 Shortage of corn at Oshkosh Grain, Inc., Oshkosh  
GW-926 Shortage of corn at Farmers Cooperative Company, Talmage  
GW-1119 Shortage of oats at Trotter, Incorporated, Arcadia  
GW-1743 Shortage of corn at Farmers/Ranchers Cooperative Association of Ainsworth  
GW-2141 Shortage of soybeans at Pender Grain, Inc., Pender

John Fecht reported on the following figures for Atlanta Elevator:

\$ 723,172.82 Received from the sale of the grain  
\$ 433,700.00 Will be received from the bond  
\$1,156,872.82 Total plus interest  
\$ 76,100,00 Total expenses plus one electrical bill

GRAIN WAREHOUSE DEPARTMENT (Cont.)

In the Matter of Schedule "A" Rates and Charges: An order was entered approving the rates.

In the Matter of Schedule "E" Rates and Charges: An order was entered approving the rates.

GW-2079 In the Matter of Custer Feed Products, Inc., Sargent: John Fecht reported that the financial information needed to complete the financial statement review was received and was acceptable.

GW-2119 In the Matter of M. G. Waldbaum Company dba Wayne Grain & Feed, Wayne: An order was entered to grant a Grain Warehouse License with a waiver of the Commission's net worth requirements.

GW-2141 In the Matter of Pender Grain, Inc., Pender: A Petition  
GWC-377 for an Order to Show Cause was entered revoking the license and scheduling a hearing for August 27, 2002, at 10:30 a.m. in the Commission Hearing Room, Lincoln.

PI-60 In the Matter of the Commission, on its own motion, seeking to conduct an investigation into exemptions from grain dealer licensure, protection for producers against loss, grain dealer bond limits and related issues: Chris Post reported on the workshop held on July 10, 2002.

TRANSPORTATION DEPARTMENT

John Schmidt reported on hearings scheduled, requests for continuances in dockets B-1571 and B-1558 and arranged for a continuance of the hearing in B-1585 held on July 15, 2002. The video hearing was continued to July 18, 2002, at 3:00 p.m. at Southeast Community College, Energy Square, Room 112A, 1111 O Street, Lincoln, and Nebraska State Office Building, Room 207, 1313 Farnam on the Mall, Omaha.

Commissioner Landis left the Commission Hearing Room.

B-1590 In the Matter of Alford Oil Company, dba Embassy Limo, Omaha, seeking to acquire, through transfer, the authority granted to Embassy Limousine, Inc. in Certificate B-1392: Upon agreement of all Commissioners present, temporary authority was granted.

M-14170 In the Matter of Chuck Garcia, dba A.A.R. Piano Moving, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of pianos between points in Omaha and five (5) miles beyond its corporate limits in van/straight truck: Upon agreement of all Commissioners present, the application was granted.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

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 per mile and the taxi surcharge was retained at 15 cents per trip.

Railroad Division

Tim Sandusky reported on the following rail safety issues:

- A) FRA focused inspection in Omaha area.
- B) Fatality in Elm Creek.
- C) FRA inspection requirements.
- D) Wyoming and Colorado rail employee fatalities, FRA rules to protect track and signal

GENERAL ADMINISTRATION

Upon agreement of all Commissioners, the following invoices were approved:

DAS - Materiel - Printing & Copy	\$ 425.18
IM Services	306.81
Circuit City	279.99
Anne Boyle	919.80
The Daily Record	284.30

Upon agreement of all Commissioners present, authorization was granted for Commissioners Boyle, Landis, Lowell Johnson, Vap and Executive Director Pollock to attend the National Association of Regulatory Utility Commissioners Annual Conference to be held in Chicago, IL, from November 8-14, 2002.

Upon agreement of all Commissioners present, authorization was granted for Robert Bowman to travel to Clay Center, Kansas, on July 16, 2002, to perform a modular housing unit factory inspection at Wardcraft Homes with all expenses, including time, to be reimbursed to the Commission by Wardcraft Homes.

Commissioner Landis entered the Commission Hearing Room.

Upon agreement of all Commissioners, the Commission recessed at 10:04 a.m. and reconvened at 10:16 a.m. with Commissioners Boyle, Lowell Johnson, Landis and Vap present and Commissioner Rod Johnson excused.

COMMUNICATIONS DEPARTMENT

Gene Hand discussed correspondence received from AT&T regarding telephone numbers.

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The meeting adjourned at 11:27 a.m. with Commissioners Boyle, Lowell Johnson, Landis and Vap present and Commissioner Rod Johnson excused. The next regularly scheduled meeting will be held on July 23, 2002, at 1:00 p.m. with an agenda to be available in the office of the Executive Director at 1:00 p.m. on July 22, 2002.

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Chair

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Executive Director