

Chair Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Boyle, Lowell Johnson, Landis and Vap present and Commissioner Rod Johnson excused.

GENERAL ADMINISTRATION

Notice was duly published January 8, 2003, on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 14, 2003, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

AD-288 In the Matter of Empire Entertainment, LeMars, Iowa, seeking authority to connect an automatic dialing-announcing device: Upon agreement of all Commissioners present, the application was dismissed.

FC-1308 In the Matter of Tracy Corporation I, d/b/a Telemetrix Technologies v. United Telephone Company of the West, d/b/a Sprint regarding dispute of services offered under interconnection agreement: Gene Hand informed the Commission that Hearing Officer Vap had approved a motion filed by Telemetrix for an extension of time to January 21, 2003, to reply to the counterclaim.

C-2842 In the Matter of Frontier Communications of America, Inc. and Citizens Telecommunications Company, both of Burnsville, Minnesota, seeking approval of merger: Upon agreement of all Commissioners present, the application was granted.

C-2843 In the Matter of Three River Communications, LLC, Lynch, seeking authority to provide resold and facilities-based competitive local exchange telecommunications services within the state of Nebraska: Upon agreement of all Commissioners present, the application was granted.

Upon agreement of all Commissioners present, a letter recommending Commissioner Vap as the representative for the Commission on the Telecommunications Relay System (TRS) Advisory Committee was approved.

Gene Hand discussed a letter received from HunTel.net giving an update on broadband Internet service deployment in the Winnebago exchange.

Gene Hand informed the Commission of Hamilton Telephone Company's introduction of True Caller ID Service in conjunction with relay service.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand informed the Commission that a thank you letter had been received from an individual stating their appreciation of the Equipment Distribution Program.

Gene Hand discussed the January 6, 2003, letter from Ron Williams, Director, Intercarrier Relations, Western Wireless, describing changes in the way some landline calls placed to their wireless customers must be dialed to accommodate number pooling & portability.

Commissioner Boyle offered a letter for Commissioners to sign seeking information from wireless carriers regarding their intentions with respect to bona fide requests for number portability. Upon agreement of all Commissioners present, the letter will be sent to all wireless carriers.

FC-1296 In the Matter of Cox Nebraska Telcom, L.L.C., Omaha, and
FC-1297 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., Lincoln, Complainant, vs. Qwest Corporation, Denver, Colorado, Respondent, requesting a review of Qwest's Common Channel Switched Access Capability Signaling rate elements as set forth in Qwest's Access Service Catalog: Gene Hand discussed recent filings.

Engineering Department

E-1765 In the Matter of the Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County: Upon agreement of all Commissioners present, the authority was cancelled at applicant's request.

E-1974 In the Matter of the Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Cheyenne, Deuel and Keith Counties: Upon agreement of all Commissioners present, the application was granted.

E-1975 In the Matter of the Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Boone County: Upon agreement of all Commissioners, the application was granted.

LEGISLATION

Andy Pollock reported on conferences held with Senator Baker's staff, Senator Beutler's staff, and regarding potential gas regulation legislation. Commissioner Vap reported on conferences with Senator Kremer and Beutler regarding grain warehouse matters.

LEGISLATION

Upon agreement of all Commissioners present, a resolution regarding the Commission's Legislative proposals was approved.

GRAIN WAREHOUSE DEPARTMENT

GW-1104 In the Matter of CNA Surety seeking cancellation of its Continuous Public Grain Warehouse Bond No. 00665596 in the amount of \$281,800.00, issued on behalf of Farmers Union Co-operative Company, Blue Springs and Wymore: Application was granted effective November 1, 2002.

GW-1120 In the Matter of The Farmers Grain and Supply Company of Elba, Elba, seeking cancellation of its Public Grain Warehouse License: Application was granted effective January 2, 2003.

GW-2128 In the Matter of The Scoular Company, Archer, seeking cancellation of its Public Grain Warehouse License: Application was granted effective December 17, 2002.

Grain Dealer Division

The following applicant was granted a Grain Dealer License for the period ending June 30, 2003:

SECURITY

GD-2857	Agri Marketing Specialties dba Ag Finder Iowa Nebraska, Omaha	\$ 35,000
GD-2797	In the Matter of Management Consultants Inc dba Ag Finder Iowa Nebraska, Omaha, seeking cancellation of its Grain Dealer License: Application was granted effective November 20, 2002.	
GD-2816	In the Matter of St. Paul Fire & Marine Insurance Company seeking cancellation of its Continuous Grain Dealer Bond No. 400JZ8989 in the amount of \$150,000.00, issued on behalf of Agri Grain Marketing, Minneapolis, MN: Application was granted effective December 28, 2002.	
GD-2818	In the Matter of St. Paul Fire & Marine Insurance Company seeking cancellation of its Continuous Grain Dealer Bond No. 400KB4594 in the amount of \$150,000.00, issued on behalf of Cargill, Incorporated, Blair: Application was granted effective December 28, 2002.	

TRANSPORTATION DEPARTMENT

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

GENERAL ADMINISTRATION

Commissioner Landis left the Commission Hearing Room.

Upon agreement of all Commissioners present, authorization was granted for Gene Hand to travel to Washington, DC, on February 20, 2003, instead of February 22, 2003, as previously authorized to attend the National Association of Regulatory Utility Commissions (NARUC) Winter Conference.

Upon agreement of all Commissioners present, authorization was granted for Robert Bowman to travel to Clay Center, Kansas, to perform a modular housing unit factory inspection of Wardcraft Homes on January 15, 2003, with all expenses, including time, to be reimbursed to the Commission by Wardcraft Homes.

Attention was called to the following proceedings:

Wednesday, January 15, 2003:

FC-1296 Commission Hearing Room, Oral Argument
FC-1297 Cox Nebraska Telcom, L.L.C., Omaha, and Illuminet, Olympia,
10:00 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., Lincoln, Complainant, vs. Qwest Corporation, Denver, Colorado, Respondent, requesting a review of Qwest's Common Channel Switched Access Capability Signaling rate elements as set forth in Qwest's Access Service Catalog. A call-in number has been established at 402-472-6290. Commissioner Landis chairing.

Friday, January 17, 2003:

1:30 Commission Library, Lincoln. Telecommunications Relay System (TRS) Advisory Committee Meeting

Commissioner Vap moved that the Commission go into closed session to discuss litigation issues and Commissioner Lowell Johnson seconded the motion. Upon agreement of all Commissioners present, the Commission went into closed session at 10:36 a.m.

GENERAL ADMINISTRATION (Cont.)

Commissioner Lowell Johnson moved that the Commission return to open session and Commissioner Vap seconded the motion. The Commission returned to open session at 11:03 a.m.

The meeting adjourned at 11:03 a.m. with Commissioners Boyle, Lowell Johnson, and Vap present and Commissioners Rod Johnson and Landis excused. The next regularly scheduled meeting will be held on January 22, 2003, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 21, 2003.

Chair

Executive Director