

Chair Boyle called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

GENERAL ADMINISTRATION

Notice was duly published January 14, 2003, on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 22, 2003, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

AD-293 In the Matter of Randy Bremer, Omaha, seeking authority to connect an automatic dialing-announcing device: Upon agreement of all Commissioners, the application was granted.

FC-1304 In the Matter of Todd J. Eggerling, Martell, vs. Alltel Communications, Lincoln, requesting removal of a pedestal: Upon agreement of all Commissioners, the formal complaint was dismissed.

C-2738/
PI-58 In the Matter of the Commission, on its own motion, seeking to conduct an investigation into rates, terms and conditions for wireless terminating traffic: Upon agreement of all Commissioners, an order was entered to deny tariffs in part.

C-2847 In the Matter of Dialaround Enterprises Inc., Flushing, New York, 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-2848 In the Matter of Qwest Corporation, Denver, Colorado, and New Access Communications LLC, Minneapolis, Minnesota, seeking approval of an amendment to a wireline interconnection agreement previously approved in Application C-2563: Upon agreement of all Commissioners, the application was granted.

C-2849 In the Matter of approval of a commercial mobile radio services (CMRS) interconnection agreement between Sprint Spectrum L.P., a Delaware Limited Partnership, as agent for Wirelesco, L.P., a Delaware Limited Partnership, and Sprintcom, Inc., a Kansas corporation and Cox Communications PCS, L.P., a Delaware Limited Partnership, and APC PCS, L.L.C., a Delaware Limited Partnership, and Phillieco, L.P., a Delaware Limited Partnership, all foregoing entities jointly d/b/a Sprint PCS and United Telephone Company of the West, d/b/a Sprint: Upon agreement of all Commissioners, the application was granted.

COMMUNICATIONS DEPARTMENT (Cont.)

Engineering Department

E-1689 In the Matter of the Norris Public Power District,
E-1733 Beatrice, seeking authority to construct, operate and main-
E-1764 tin electric transmission lines in Saline and Jefferson
Counties: Upon agreement of all Commissioners, the appli-
cations were cancelled at applicant's request.

E-1901 In the Matter of Loup River Public Power District, Columbus
E-1906 seeking authority to construct, operate and maintain elec-
tric transmission lines in Nance and Platte Counties: Upon
agreement of all Commissioners, the request for an extension of time
to complete the construction granted.

UNIVERSAL SERVICE FUND

Jeff Pursley discussed the Federal Communications Commis-
sion's (FCC) Safe Harbor Provision for wireless carriers and its impact
on the Nebraska Universal Service Fund.

WIRELESS E-911 DEPARTMENT

WSP-009 In the Matter of Wireless II L.L.C., d/b/a Nebraska Wire-
less Telephone Company, Grand Island, seeking approval of a
funding request from the Enhanced Wireless 911 Fund: Upon agreement
of all Commissioners, the application was granted.

911-003/ In the Matter of the Commission, on its own motion, seeking
PI-65 to determine whether it should obtain metrics data reports
to monitor performance of wireless enhanced 911 service:
Upon agreement of all Commissioners, an order was entered requiring
metrics data reports.

RULES AND REGULATIONS

Rule & In the Matter of the Commission, on its own motion, seeking
Regulation to amend Title 291, Chapter 13, Modular Housing Construc-
#156 tion Rules and Regulations, by creation of an ad hoc com-
mittee and to adopt rules in accordance with current con-
struction codes: Upon agreement of all Commissioners, an order was
entered opening the docket and seeking public comment.

LEGISLATION

Laura Davenport reported on bills introduced to date of
interest to the Public Service Commission.

TRANSPORTATION DEPARTMENT

B-1284 In the Matter of Executive Limousines by Foos, Inc.,
Scottsbluff: Upon agreement of all Commissioners, the
application for revocation was granted and the authority revoked.

B-1581 In the Matter of Servant Cab Company, LLC, d/b/a Yellow Cab
Company and Capital Cab Company, Lincoln, seeking inter-
pretation of carrier authority: Upon agreement of all Commissioners,
the Motion for Rehearing and/or Reconsideration and request for oral
argument was set for a date later to be determined.

B-1595 In the Matter of Marshanette Booker & Sons dba Safe Senior
Transportation Services (S.S.T.S.), Omaha, seeking author-
ity as a common carrier in Nebraska intrastate commerce in the trans-
portation of passengers by van between points in Douglas County and
between points in Douglas County and points) in Nebraska including the
transportation of clients for the Department of Health and Human Ser-
vices and subcontractors thereof. RESTRICTION: The transportation of
railroad train crews and their baggage is not authorized: Upon agree-
ment of all Commissioners, the application was granted.

B-1590 In the Matter of Alford Oil Company, dba Embassy Limo,
Omaha, seeking to change its name from Alford Oil Company,
dba Embassy Limo, to Alford Oil Company, dba VIP Limousine: A hearing
was set for a date later to be determined. Commissioner Boyle will
preside as Hearing Officer.

B-1591 In the Matter of WW Service, Inc., Yutan, seeking authority
as a contract carrier of passengers for the Department of
Defense in Nebraska intrastate commerce in open class service by sedan
and van between points in Nebraska over irregular routes. RESTRICTION:
The transportation of railroad train crews and their baggage is not
authorized. The transportation of Health and Human Services or subcon-
tractors thereof is not authorized: The video hearing previously set
for January 23, 2003, was continued to a date later to be determined.

B-1601 In the Matter of Ruben Farias Figueroa, dba Grisel, Lexing-
ton, seeking authority as a common carrier of passengers in
intrastate commerce by taxicab in sedans between points in the City of
Lexington and Dawson County and between points in the City of Lexing-
ton and Dawson County on the one hand, and on the other hand, points
in Nebraska over irregular routes to include transportation of clients
of Nebraska Department of Health and Human Services. RESTRICTION:
Transportation of Railroad train crews is not authorized: A video
hearing was set for March 13, 2003, at 10:00 a.m. in the Commission
Library, Lincoln; Nebraska State Office Building, Room 207, 1313
Farnam Street, Omaha; Public Library, Second Floor, 517 West 4th
Street, Hastings; Von Riesen Library, Room 6, 1205 East 3rd Street,
McCook. Commissioner Vap will preside as Hearing Officer.

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 reduced to 14 cents per mile, and the taxi surcharge was retained at 15 cents per trip.

Commissioner Rod Johnson left the Commission Hearing Room.

GENERAL ADMINISTRATION

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

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|----------------------------------|-----------|
| DAS - Materiel - Office Supplies | \$ 280.49 |
| DAS - Materiel - Postage | 407.86 |
| DAS - IM Services | 312.21 |
| DAS - TSB - Voyager Billing | 689.08 |
| The Daily Record | 315.80 |
| IBM Corporation | 840.00 |
| Andrew Pollock | 225.16 |

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

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|--|----------|
| Aksarben TDD Service | 4,086.45 |
| Associated Hearing Health Care | 1,133.95 |
| Audiology Services & Hearing Aid Center PC | 716.60 |
| Grand Island Hearing Aid Ctr | 973.00 |
| Hamilton Relay Inc | 499.85 |
| Harris Communications | 843.25 |
| Hearing Aid Specialists | 2,291.27 |
| Johnson Hearing Aid Service | 129.38 |
| K-D Communications | 981.35 |
| Karen Kammann | 99.99 |
| League of Human Dignity | 1,897.70 |
| Carl A. Johnson | 586.00 |
| R & J Enterprises | 2,475.00 |
| Sherard Hearing Aid Center | 1,067.96 |
| The Hearing Clinic Inc. | 995.00 |
| Dell Marketing | 1,722.00 |

Upon agreement of all Commissioners present, the following filing fees were approved:

GENERAL ADMINISTRATION (Cont.)

Communications Department

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|--|-----------------------|
| CADPF | Communications Auto Dialer Permit Fee | \$500.00 |
| CAPPL | Communications Application (Include Boundary Change applications @ \$25.00 each). Depreciation Studies @ \$50.00 each. | 50.00 |
| CCECO | Communications Certified Copies | 1.00 |
| CFAXI | Communications Faxing Charge | 1.50 |
| CFINP | Communications Fines – Permanent | (Varies) |
| CFINT | Communications Fines – Temporary | (Varies) |
| CFOCO | Communications Formal Complaint | 10.00 |
| CHEFE | Communications Hearing Fee | 50.00 |
| CPHOT | Communications Photocopies | .10 |
| CSEFE | Communications Security Fees | (Varies) |
| CTRAN | Communications Transcripts | .50 |
| CVIDP | Communications Video Port Fees | (Varies) |
| CVIDR | Communications Video Room Rental | (Varies) |
| CWFEE | Communications Wireless Registration Fee | \$50.00 |
| DPREL | Dual Party Relay | (Varies) |

Engineering Department

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|--------------------------------|-----------------------|
| EAPPL | Engineering Application | (\$35or \$50) |
| ECECO | Engineering Certified Copies | \$1.00 |
| EFAXI | Engineering Faxing Charge | 1.50 |

| | | |
|-------|------------------------------|-------|
| EFOCO | Engineering Formal Complaint | 10.00 |
| EHEFE | Engineering Hearing Fees | 50.00 |
| EPHOT | Engineering Photocopies | .10 |
| ETRAN | Engineering Transcripts | .50 |

Grain Warehousing/Grain Dealers Department

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|---|-----------------------|
| GDATR | Grain Dealer Additional Truck Registration | \$20.00 |
| GDLIC | Grain Dealer License | 30.00 |
| GDTR | Grain Dealer Truck Registration | 20.00 |
| GWAUD | Grain Warehouse Auditing – Cash | 150.00 |
| GWAUG | Grain Warehouse Auditing - General | 100.00 |
| GWCCC | Grain Warehouse CCC Examinations | (Varies) |
| GWCEC | Grain Warehouse Certified Copies | 1.00 |
| GWCL | Grain Warehouse Change of License | 40.00 |
| GWEMS | Grain Warehouse Emergency Storage Application Fee | 40.00 |
| GWEXA | Warehouse Requested Exam | (\$200/day) |
| GWFAQ | Grain Warehouse Faxing Charge | 1.50 |
| GWFOC | Grain Warehouse Formal Complaint | 10.00 |
| GWHEF | Grain Warehouse Hearing Fees | 50.00 |
| GWINS | Grain Warehouse Increased Storage | (Varies) |
| GWLIC | Grain Warehouse License Fees | (Varies) |
| GWNON | Grain Warehouse Non-Negotiable | 25.00 |
| GWPHO | Grain Warehouse Photocopies | .10 |
| GWREC | Grain Warehouse Receipts | 20.00 |
| GWSF | Grain Warehouse Surveillance Fees | (Varies) |
| GWSPR | Grain Warehouse Special Rate Application | 40.00 |

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|-------|-------------------------------------|----------|
| GWTRA | Grain Warehouse Transcripts | .50 |
| GWVDP | Grain Warehouse Video Port Fees | (Varies) |
| GWVDR | Grain Warehouse Video Room Rental | (Varies) |
| MTINS | Moisture Testing Exam Routine | \$15.00 |
| MTREQ | Moisture Testing Exam Requested | 30.00 |
| MTRIN | Moisture Testing Exam Re-inspection | 15.00 |

Modular Housing, Manufactured Homes and Recreational Vehicles

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|-----------------------------------|-----------------------|
| MFHUD | Manufactured Home HUD | (Varies) |
| MFINS | Manufactured Homes Inspections | (Varies) |
| MFNCS | Manufactured Homes NCSBCS | (Varies) |
| MFPLR | Manufactured Homes Plan Review | (Varies) |
| MFSLs | Manufactured Home Seals | \$35.00 |
| MHINS | Modular Housing Inspections | (Varies) |
| MHPLR | Modular Housing Plan Review | (Varies) |
| MHSLS | Modular Housing Seals | 140.00 |
| RVINS | Recreational Vehicles Inspections | (Varies) |
| RVPEN | Recreational Vehicles Penalty | 75.00 |
| RVPLR | Recreational Vehicles Plan Review | (Varies) |
| RVSLs | Recreational Vehicles Seals | 23.00 |

Nebraska Competitive Telephone Marketplace Fund

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|---|-----------------------|
| NCTMK | Ne Competitive Telephone Marketplace voluntary payments | (Varies) |

Nebraska Internet Enhancement Fund

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|---|-----------------------|
| NIEFP | Nebraska Internet Enhancement Fund lease payments | (Varies) |

Railroad Department

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|--|-----------------------|
| RCECO | Railroad Certified Copies | \$1.00 |
| RFAXI | Railroad Faxing Charge and Maps (Maps are \$3.00 ea) | 1.50 |
| RFOCO | Railroad Formal Complaint | 10.00 |
| RHEFE | Railroad Hearing Fee | 50.00 |
| RPHOT | Railroad Photocopies | .10 |
| RTRAN | Railroad Transcripts | .50 |

Transportation Department

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|---|-----------------------|
| TRAAB | Transportation Application Fee - Buses/Limousines | \$75.00 |
| TRAAT | Transportation Application Fee - Truck/Tractor | 75.00 |
| TRABU | Transportation - Plates – Buses | 25.00 |
| TRAIT | Transportation Itinerant Merchant License Fee | 50.00 |
| TRALI | Transportation - Plates - Limos | 25.00 |
| TRALP | Transportation - Lost Plates | 20.00 |
| TRASU | Transportation - Suspension Fee | 50.00 |
| TRATA | Transportation - Plates – Taxis | 25.00 |
| TRATR | Transportation - Plates - Straight Trucks | 25.00 |
| TRATT | Transportation - Plates - Tractor/Trailers | 40.00 |

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|-------|-----------------------------------|----------|
| TRATY | Transportation - Plates - Trolley | 25.00 |
| TRAVA | Transportation - Plates - Van | 25.00 |
| TRCEC | Transportation Certified Copies | 1.00 |
| TRFAX | Transportation Faxing Charge | 1.50 |
| TRFNP | Transportation Fines - Permanent | (Varies) |
| TRFOC | Transportation Formal Complaint | 10.00 |
| TRHEF | Transportation Hearing Fee | 50.00 |
| TRPHO | Transportation Photocopies | .10 |
| TRRTE | Transportation Rate Application | \$60.00 |
| TRTRA | Transportation Transcripts | .50 |
| TRVDP | Transportation Video Port Fees | (Varies) |
| TRVDR | Transportation Video Room Rental | (Varies) |

Universal Service Fund Department

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|--------------------------------|-----------------------|
| USFAP | USF Application Fees | \$50.00 |
| USFCC | USF Certified Copies | 1.00 |
| USFFC | USF Formal Complaint | 10.00 |
| USFFP | USF Fines - Permanent | (Varies) |
| USFFT | USF Fines – Temporary | (Varies) |
| USFFX | USF Faxing Charge | 1.50 |
| USFHF | USF Hearing Fee | 50.00 |
| USFPH | USF Photocopies | .10 |
| USFSU | USF Surcharge Income | (Varies) |
| USFTR | USF Transcripts | .50 |

Wireless E-911 Department

| Receipt Code | Description of Activity | Fee (Per Unit) |
|---------------------|---------------------------------|-----------------------|
| WAPPL | Wireless E-911 Application Fees | \$50.00 |
| WCECO | Wireless E-911 Certified Copies | 1.00 |
| WE911 | Wireless E-911 Surcharge Income | (Varies) |
| WFAXI | Wireless E-911 Faxing Charge | 1.50 |
| WFOCO | Wireless E-911 Formal Complaint | 10.00 |
| WHEFE | Wireless E-911 Hearing Fee | 50.00 |
| WPHOT | Wireless E-911 Photocopies | .10 |
| WTRAN | Wireless E-911 Transcripts | .50 |

Upon agreement of all Commissioners present, authorization was granted for Jeff Pursley to travel to Washington, DC, from April 10-11, 2003, to address the Society of Utility Regulators and Financial Analysts (SURFA) with up to \$800.00 being reimbursed for expenses by SURFA.

Attention was called to the following proceedings:

Wednesday, January 22, 2003:

B-1558 Commission Hearing Room, Lincoln. Oral Argument.
Supp. 2 MAVM Ventures LLC, dba A & B Shuttle, Omaha, seeking
1:30 authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers between points in Douglas, Sarpy, and Lancaster counties over irregular routes in sedans, buses, and vans. Commissioner Boyle chairing.

The Commission discussed the PSC budget.

Commissioner Landis moved that the Commission go into closed session to discuss litigation issues and Commissioner Lowell Johnson seconded the motion. Upon agreement of all Commissioners, the Commission went into closed session at 11:00 a.m.

Commissioner Rod Johnson returned to the Commission Hearing Room.

GENERAL ADMINISTRATION (Cont.)

Commissioner Vap moved that the Commission return to open session and Commissioner Lowell Johnson seconded the motion. Upon agreement of all Commissioners, the Commission returned to open session at 11:20 a.m.

The meeting adjourned at 11:20 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on January 28, 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 27, 2003.

Chair

Executive Director