

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 February 11, 2003, on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 19, 2003, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

C-2864 In the Matter of Entrix Telecom, Inc., Newark, New Jersey, seeking authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska: Upon agreement of all Commissioners, the application was approved.

C-2866 In the Matter of Radiant Telecom, Inc., Miami, Florida, 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-2872 In the Matter of Great Plains Communications, Inc., Blair, seeking arbitration to resolve issues relating to an interconnection agreement with WWC License L.L.C., Issaquah, Washington: Gene Hand discussed letters received from Paul Schudel, on behalf of Great Plains Communications, Inc., requesting that Laura Davenport be designated as arbitrator, and Steve Seglin, on behalf of WWC License L.L.C., requesting that Marlon Griffing be designated as arbitrator. Both parties have agreed to conference with staff during the week of February 24, 2003, and will report to the Commission on March 4, 2003, on the status of selecting an arbitrator.

C-2874 In the Matter of the Commission, on its own motion, seeking PI-71 to investigate the current status of distance learning in Nebraska: Pursuant to a decision of the Hearing Officer, the comment date was extended to March 13, 2003.

C-2863 In the Matter of United Telephone Company of the West, d/b/a Sprint, and Sprint Communications Company L.P., both of Overland Park, Kansas, seeking approval of their Master Interconnection and Resale Agreement: Upon agreement of all Commissioners, the agreement was approved.

C-2865 In the Matter of Qwest Corporation, Denver, Colorado, and ICG Telecom Group, Inc., Oakland, California, seeking approval of an amendment to a wireline interconnection agreement previously approved in Application C-2735: Upon agreement of all Commissioners, the amendment was approved.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand advised the Commission that seven wireless carriers had responded to a letter sent to all Nebraska wireless carriers seeking information about the status of local number portability BFR's in Nebraska.

Gene Hand reported on the joint meeting of the Missouri Valley Communications Association (MVCA) and the IEEE Communications Society held in Omaha on February 18, 2003.

LEGISLATIVE REPORT

Andy Pollock discussed gas bills LB 790 and 792.

Commissioner Vap discussed grain bill LB 735.

Andy Pollock discussed the appropriations meeting.

The Commission voted to take no position on LB 81 dealing with alcohol consumption in limousines.

The Commission voted to support LB 112 dealing with the purchase of communications service.

The Commission voted to support both LB 553 and LB 743 dealing with the telemarketers no call list.

The Commission voted to remain neutral on LB 675 dealing with railroads to amend Section 74-308 and to change provisions relating to eminent domain and repeal the original section. The Commission expressed their concern about efficiency and deadlocks.

The Commission voted to oppose LB 757 dealing with the Nebraska Universal Service Fund (NUSF) to redefine telecommunications company; amend Section 86-322 and repeal the original section.

The Commission voted to remain neutral on LB 793 dealing with telecommunications to amend Sections 86-101 and 86-102.

TRANSPORTATION DEPARTMENT

B-1480 In the Matter of Karen Baker, dba Baker Day Care & Services, Wauneta, seeking revocation and cancellation of the common carrier authority in Certificate B-1480: Upon agreement of all Commissioners, revocation was granted and authority in B-1480 revoked.

B-1590 In the Matter of Alford Oil Company, dba VIP Limousine, Supp. 2 seeking to acquire, through transfer, the authority granted to VIP Specialists, Lincoln, in Certificate

B-1563: Upon agreement of all Commissioners, temporary authority was granted.

TRANSPORTATION DEPARTMENT (Cont.)

B-1603 In the Matter of Jose Luis Chavez, Lexington, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxicab between points in the city of Lexington and Dawson County on the one hand, and, on the other hand, points in Nebraska over irregular routes. To include the clients of the Nebraska Department of Health and Human Services. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Upon agreement of all Commissioners, the application was dismissed.

M-14179 In the Matter of A-1 Relocation, Inc., dba Lincoln Moving Services, Lincoln, seeking to acquire, through transfer, the authority granted in Certificate M-12171 to Star Warehousing Company, dba Star Van & Storage Company: Upon agreement of all Commissioners, temporary authority was granted.

B-1604 In the Matter of Berta Guadron, dba Lexington Taxi Service, Lexington, seeking authority as a common carrier in Nebraska intrastate commerce by taxicab between points in Dawson County over irregular routes. To include the clients of the Department of Health and Human Services. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: A hearing was set for April 30, 2003, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Vap will preside as Hearing Officer.

B-1611 In the Matter of Angel Vazquez, dba El Aguila Transportation, Lexington, seeking authority as a common carrier in Nebraska intrastate commerce in open class service for the transportation of passengers by taxicab between points within a 40-mile radius of Lexington over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: A hearing was set for April 9, 2003, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Vap will preside as Hearing Officer.

B-1612 In the Matter of Thomas J. Wyman, dba American Eagle Shuttle Express, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in open class service in the transportation of passengers between points in Douglas and Sarpy counties and between points in said counties on the one hand, and, on the other hand, points within a 60-mile radius of Douglas and Sarpy counties. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: A video hearing was set for April 3, 2003, at 10:00 a.m. in the Commission Library, Lincoln; Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam, Omaha; Public Library, Second Floor, 517 West 4th Street, Hastings; and Von Riesen Library, Room 6, Basement level, 1205 East 3rd Street, McCook. Commissioner Boyle will preside as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

B-1613 In the Matter of Rick Holloway, dba Taxi Specialties of Lexington, Lexington, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxicab between points in Lexington and between points in Lexington and points in Nebraska. To include the clients of the Nebraska Department of Health and Human Services. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: A hearing was set for March 26, 2003, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Vap will preside as Hearing Officer.

B-1581 In the Matter of Servant Cab Company, LLC, dba Yellow Cab Company and Capital Cab Company, Lincoln, seeking interpretation of carrier authority: An oral argument was set for March 5, 2003, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Landis will preside as Hearing Officer.

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 24 cents per mile and the taxi surcharge was retained at 25 cents per trip.

GENERAL ADMINISTRATION

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

DAS - IM Services	\$ 623.44
DAS - Materiel - Office Supplies	589.51
The Daily Record	359.30
Executive Travel	562.00
Larry Fauss	575.00
Hamilton Relay, Inc.	89,745.73
NARUC	275.00
NARUC	395.00
Robert Bowman	354.14
Fred Massing	596.46
Kent Pribyl	504.56

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

ADCO Hearing Products	474.78
Aksarben TDD Service	1,315.40
Associated Hearing	1,247.73
Audiology Services & Hearing Aid Center	657.65
Grand Island Hearing Aid Ctr	594.00
Hamilton Relay Inc	1,177.80
Harris Communications	452.90
HITEC Group Int'l Inc	393.35

GENERAL ADMINISTRATION (Cont.)

Carl Johnson	\$ 1,726.90
Johnson Hearing Aid Service	1,446.29
K-D Communications	4,051.40
McCook Pharmacy & Medical Supply	363.90
Hearing Aid Specialist	835.00
Professional Hearing Aid Service	1,043.00
R & J Enterprises	1,715.70
Sherard Hearing Aid Center	1,219.50
The Hearing Clinic Inc	995.00

Upon agreement of all Commissioners, authorization was granted for Brenda Wicken to pay Commission bills from February 19-March 3, 2003.

Upon agreement of all Commissioners, authorization was granted for John Fecht to grant all grain warehouse licenses that meet statutory requirements from February 19-March 3, 2003.

Upon agreement of all Commissioners, authorization was granted for Kent Pribyl to travel to Clay Center, Kansas, on February 20, 2003, to perform a modular housing unit factory inspection with all expenses, including time, to be reimbursed to the Commission by Wardcraft Homes.

Upon agreement of all Commissioners, authorization was granted for Bob Bowman to travel to Black Hawk, South Dakota, from February 19-21, 2003, to perform a modular housing unit factory inspection with all expenses, including time, to be reimbursed to the Commission by Global Place Makers, Inc.

Attention was called to the following proceedings:

Wednesday, February 19, 2003:

B-1441 Commission Hearing Room, Lincoln. Oral Argument.
Supp. 2 R & F Hobbies, Inc., dba Prince of the Road, Ravenna, seeking to extend its authority as a common carrier 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 Nebraska over irregular routes. Commissioner Vap chairing.
1:30

B-1594 Commission Hearing Room, Lincoln. Oral Argument.
3:00 A-1 Ambassador Limousine, Inc., dba A-1 Special Services, Lincoln, seeking authority as a common carrier 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 Nebraska over irregular routes in sedans, buses, vans, and station wagon. Commissioner Landis chairing.

The meeting adjourned at 11:04 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on March 4, 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 March 3, 2003.

Chair

Executive Director