

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

GENERAL ADMINISTRATION

Notice was duly published April 27, 2004, on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 4, 2004, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, May 4, 2004:

B-1621 Commission Hearing Room, Lincoln. Call in number 472-6899.  
2:30 Phoenix Counseling, Inc., dba Phoenix Transportation Services, Omaha, seeking authority as a common carrier of passengers in open class service by van between points in Douglas, Cass, Sarpy, and Washington counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Commissioner Boyle chairing.

Wednesday, May 5, 2004:

C-3049 Commission Hearing Room, Lincoln.  
10:00 The Commission, on its own motion, seeking to conduct an investigation into possible solutions for extending the life of area codes 308 and 402. Commissioner Landis chairing.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of the complaints received in the preceding month.

C-2696 In the Matter of the Commission, on its own motion, seeking  
PI-57 to conduct an investigation into payphone pricing in the State of Nebraska: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson to enter an order closing the docket. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

C-2940 In the Matter of the Commission, on its own motion, seeking to determine whether the retail service quality provided by Alltel is adequate: Don Gray informed the Commission that Alltel's monthly service quality report for the month of March 2004, had been received.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3050 In the Matter of Qwest Corporation, Denver, Colorado, seeking to amend its Certificate of Public Convenience and Necessity to provide local exchange service in all exchanges within the State of Nebraska in which Qwest is not currently a certified local exchange carrier: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

C-3096 In the Matter of Great Plains Communications, Inc.; Hamilton Telephone Company; Nebraska Central Telephone Company; C-3112 Stanton Telecom, Inc.; Northeast Nebraska Telephone Company, seeking a suspension or modification of the Federal C-3117 Communications Commission requirement to implement wire- C-3119 line-wireless number portability pursuant to 47 U.S.C. Section 251(f)(2): Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the Motion for Leave to Withdraw Petition for Formal Intervention of Verizon Wireless in C-3096; and Sprint's Motion to Withdraw from C-3096, C-3112, C-3116, C-3117 and C-3119. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

C-3161 In the Matter of Phonetec PCS, LLC, Midland, Texas, seeking authority to operate as a resale common carrier of telecommunications services within the State of Nebraska: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

C-3175 In the Matter of Citizens Telecommunications Company of Nebraska, d/b/a Frontier Communications of Nebraska, Mound, Minnesota, seeking approval of its agreement for resale with Houlton Enterprises, Inc., d/b/a Guaranteed Phone Services, Council Bluffs, Iowa: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

C-3177 In the Matter of Network Communications International Corp., Longview, Texas, seeking to add the fictitious names of Mundo Telecom and 1800Call4Less: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3178 In the Matter of Alltel Communications, Inc., Little Rock, Arkansas, seeking approval of its Wireless Interconnection and Reciprocal Compensation Agreement with Hamilton Telecommunications, Aurora: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

Gene Hand informed the Commission that Qwest provided a press release announcing Holdrege residents can now receive Qwest High-Speed Internet service.

Commissioner Landis requested that a report regarding Intercarrier Compensation Reform be developed by staff.

UNIVERSAL SERVICE FUND

Jeff Pursley discussed the letter received from third party filer AlternaDev, requesting a waiver of the late fee approved on March 23, 2004, against Verizon, Omaha Cellular and Sioux City MSA. Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis for an approval of a one-time waiver. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

Jeff Pursley discussed a letter received from MCI requesting an extension of time to file its required remittance audits. Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson to grant an extension until June 2, 2004. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

NATURAL GAS DEPARTMENT

Laura Demman discussed the Northern Natural Gas rate case presently on file with the Federal Energy Regulatory Commission (FERC): Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson that the Commission file an intervention with FERC. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

NG-0008 In the Matter of Metropolitan Utilities District (M.U.D.), Omaha, seeking authority for Competitive Natural Gas Provider authority in the state of Nebraska: Laura Demman reported on the receipt of an April 14, 2004, letter from Judge Steven Burns requesting additional information on the authority of the Commission to certificate M.U.D. The Attorney General's office prepared a response and filed it with the Court.

NATURAL GAS DEPARTMENT (Cont.)

NG-0019 In the Matter of the Petition for Declaratory Ruling of Metropolitan Utilities District, Omaha (M.U.D.), seeking a determination that Neb. Rev. Stat. §§ 57-1302 through 57-1307 and Neb. Rev. Stat. § 66-1849 and Neb. Admin. Code, Title 291, Chapter 9, Sections 003.01 through 003.11 and Section 009.01 do not apply to a natural gas supply and transportation arrangement between M.U.D. and Nebraska Public Power District (N.P.P.D.): Laura Demman provided an update on the status of the application.

Laura Demman reported on the nature and number of natural gas consumer complaints and inquiries received during the previous month.

Laura Demman reported on receipt of jurisdictional utility annual reports.

TRANSPORTATION DEPARTMENT

B-1582 In the Matter of Action Taxi & Limo, Inc., Sioux City, Iowa, seeking authority as a common carrier of passengers in Nebraska intrastate service by taxicab over irregular routes between points in Dakota, Dixon, Thurston and Wayne counties and between points in said counties on the one hand, and, on the other hand, points in Nebraska. To include the transportation of clients of the Nebraska Department of Health and Human Services. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: A video hearing was set for June 23, 2004, at 9:30 a.m. in the Commission Library, Lincoln, and City Hall, 1615 First Avenue, South Sioux City. Commissioner Rod Johnson will preside as Hearing Officer.

Rate Division

BR-294 In the Matter of Guard-Rite Security Services, LLC, Norfolk, seeking authority to amend its rates for its use: The Commission was informed that no publication was made on this application. Action will be taken to correct the situation.

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-F. The fuel surcharge was retained at 22 cents per mile.

Mark Breiner reported on taxi fuel surcharges. Discussion was held regarding the number of different taxi surcharges and other issues. Further reporting will be done at the Commission meeting on May 11, 2004.

GENERAL ADMINISTRATION

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis to approve the following invoices. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Absent Not Voting.

DAS - Transportation Services Bureau	\$ 1,229.30
Ted Burkey	1,395.00
Dell	1,679.87
Larry Fauss	800.00
Hamilton Telecommunications	87,520.90
Kelly Services	1,158.33
Robert Bowman	690.09
Mark Luttich	530.40
Fred Massing	855.17
Kent Pribyl	597.30
Anne Boyle	405.00
Anne Boyle	510.76
Lowell Johnson	430.46

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Aksarben TDD Service	675.95
Associated Hearing Health	417.70
Audiology Services & HAC, P.C.	169.95
Bosler Hearing Aid Center	815.25
Harris Communications	662.55
Hearing Clinic Inc.	505.00
Carl A. Johnson	2,287.40
K-D Communication	1,194.80
League of Human Dignity	884.00
McCook Pharmacy & Medical Supply	709.79
Professional Hearing Aid Services	3,469.45
R & J Enterprises	1,431.59
Sherard Hearing Aid Center	406.00
Teltex	653.53

Upon agreement of all Commissioners present, authorization was granted for Commissioner Anne Boyle to attend the Joint Center Conference to be held in Washington, DC, from May 12-13, 2004, with all expenses to be paid by the Joint Center.

Upon agreement of all Commissioners, authorization was granted for Commissioner Anne Boyle to attend the KMB Video Journal 33rd Annual Invitational Conference on Telecommunications to be held in St. Pete Beach, Florida, from May 19-21, 2004, with all expenses to be paid by KMB Video Journal.

GENERAL ADMINISTRATION (Cont.)

Upon agreement of all Commissioners present, authorization was granted for John Burvainis and Steve Stovall to travel to Lakewood, Colorado, to review expenses of Kinder Morgan in conjunction with a settlement agreement (NG-0020/PI-80). Travel dates will be determined by the Executive Director.

The Commission discussed budget matters.

\*\*\*\*\*

The meeting adjourned at 10:43 a.m. with Commissioners Lowell Johnson, Rod Johnson, Landis and Vap present and Commissioner Boyle excused. The next regularly scheduled meeting will be held on May 11, 2004, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on May 10, 2004.

---

Chairman

---

Executive Director