

Chairman Vap called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Lowell Johnson, Rod Johnson, Landis, Boyle and Vap present.

GENERAL ADMINISTRATION

Notice was duly published June 1, 2004, on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held June 8, 2004, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following:

Thursday, June 10, 2004:

2:45 Commission Hearing Room, Lincoln.
 Girls State Representatives

COMMUNICATIONS DEPARTMENT

C-3095 In the Matter of Qwest Corporation, Denver, Colorado, seeking arbitration to resolve issues relating to interconnection rates, terms, conditions and related arrangements with AT&T Communications of the Midwest, Inc., Denver, and TCG Omaha, Denver, Colorado: Gene Hand informed the Commission that a Motion for Extension of Time had been filed by AT&T Communications of the Midwest, Inc. and TCG Omaha. Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the extension to June 14, 2004, at 5:00 p.m. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

C-3213 In the Matter of the Commission, on its own motion, seeking
DC-67 an order to cease and desist operations and to revoke the
 Certificates of Public Convenience and Necessity issued to
the named defendants: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

C-3193 In the Matter of Consolidated Telephone Company, Lincoln,
 seeking approval of its Wireless Interconnection and
Reciprocal Compensation Agreement with Alltel Communications, Inc., Little Rock, Arkansas: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3194 In the Matter of Consolidated Telecom, Inc., Lincoln, seeking approval of its Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications, Inc., Little Rock, Arkansas: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

C-3195 In the Matter of Consolidated Telco, Inc., Lincoln, seeking approval of its Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications, Inc., Little Rock, Arkansas: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

C-3196 In the Matter of Blair Telephone Company, Blair, seeking approval of its Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications, Inc., Little Rock, Arkansas: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

C-3197 In the Matter of Arlington Telephone Company, Blair, seeking approval of its Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications, Inc., Little Rock, Arkansas: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

C-3198 In the Matter of Eastern Nebraska Telephone Company, Blair, seeking approval of its Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications, Inc., Little Rock, Arkansas: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

C-3199 In the Matter of Rock County Telephone Company, Blair, seeking approval of its Wireless Interconnection and Reciprocal Compensation Agreement with Alltel Communications, Inc., Little Rock, Arkansas: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3200 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of its Agreement for Terms and Conditions for Interconnection, Unbundled Network Elements Ancillary Services and Resale of Telecommunications Services with CAT Communications International, Inc., Roanoke, Virginia: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

Gene Hand informed the Commission that the U.S. Court of Appeals for the District of Columbia ruled that the stay of the triennial review order (TRO) will expire on June 15, 2004, and therefore, the deadline for appealing the order is June 30, 2004.

UNIVERSAL SERVICE FUND

NUSF-32 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of various companies to comply with Commission Orders and, at its own discretion, impose administrative fines against the named defendants: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson to deny MCI's request for an additional 30 day extension in which to file their remittance audit and to set a show cause hearing for MCI to appear on July 20, 2004, at 1:30 p.m in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

Jeff Pursley reported that no late-filed carrier remittances were received this week; however, Business Telecom, Inc., had produced a fax report stating that their 1st Quarter, 2004 worksheet had been submitted timely and requested that the late fee, previously assessed by the Commission, be waived. Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson to waive the \$50.00 late fee against Business Telecom, Inc. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

Jeff Pursley reported on receiving the 2004 Boards and Commissions Survey and distributed to the Commission his proposed response for their review.

NUSF-32 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of various companies to comply with Commission Orders and, at its own discretion, impose administrative fines against the named defendants: Jeff Pursley reported that a stipulation with Vartec and Excel Communications had been accepted. The hearing previously set for June 8, 2004, was cancelled.

UNIVERSAL SERVICE FUND (Cont.)

NUSF-39/ In the Matter of Orbitcom, Inc., Sioux Falls, South Dakota,
C-3186 seeking designation as an eligible telecommunications
carrier that may receive federal and state universal
service support: A hearing was scheduled for July 27, 2004, at 1:30
p.m. in the Commission Hearing Room, Lincoln.

NATURAL GAS DEPARTMENT

NG-0019 In the Matter of the Petition for Declaratory Ruling of
Metropolitan Utilities District (M.U.D.), Omaha, 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.): Motion made by Commis-
sioner Frank Landis, seconded by Commissioner Lowell Johnson to enter
an order denying MUD's motion for rehearing. Motion passed with Com-
missioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting
AYE, and Commissioner Anne Boyle voting NAY.

NG-0020/ In the Matter of the Commission, on its own motion, seeking
PI-80 to conduct a review related to a settlement agreement among
the State of Nebraska, acting by and through the Governor's
Policy Research Office; the Nebraska Public Service Commission; and
Kinder Morgan, Inc., a Kansas corporation: Motion made by Commissioner
Frank Landis, seconded by Commissioner Lowell Johnson to enter an
order to approve a settlement agreement and tariff sheets. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis, and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1611 In the Matter of Angel Vazquez, dba El Aguila Transporta-
tion, Lexington: Motion made by Commissioner Anne Boyle,
seconded by Commissioner Frank Landis, to enter the order revoking
authority. Motion passed with Commissioners Anne Boyle, Lowell
Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

B-1645 In the Matter of R & A Transport, LLC, York, seeking to
acquire, through transfer, the authority granted to Raymond
L. Eichman, York: A hearing was scheduled for July 28, 2004, at 10:00
a.m. in the Commission Hearing Room, Lincoln. Commissioner Rod John-
son will preside as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

M-14183 In the Matter of Miracle Movers, Inc., Lincoln, seeking authority as a common carrier of household goods by truck between points within a five-mile radius of the city limits of Lincoln over irregular routes: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to dismiss the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

Bob Harrison reported on informal complaints and discussion was held by the Commission.

Rate Division

LR-250 In the Matter of Old Market Limousine Service, Omaha, seeking authority to amend its limousine rates for use in Richardson County: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

BR-294 In the Matter of Guard-Rite Security Services, Omaha, seeking authority to amend its rates and charges: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

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 and the taxi surcharge at 50 cents per trip.

Commissioner Landis exited the Commission Hearing Room.

GENERAL ADMINISTRATION

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

University of Nebraska - Bureau of Business Research	\$	12,644.50
University of Nebraska - Bureau of Business Research		12,644.50
Ted Burkey		515.00
Hamilton Telecommunications		76,981.21
Tyler Frost		442.50
Tyler Frost		442.50
Robert Bowman		789.31

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM	
Associated Hearing Health Care	\$ 417.45
Audiology Services and HAC, P.C.	194.90
Bosler Hearing Aid Center	212.35
Grand Island Hearing Aid	558.00
Harris Communications	658.10
Carl A Johnson	379.60
K-D Communications	474.30
Professional Hearing Aid Service	1,629.70
Sherard Hearing Aid Center	149.00
Teltex	209.85

Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson to approve Commission minutes for the month of May, 2004. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis Excused Not Voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson to authorize Gene Hand to attend the National Association of Regulatory Utility Commissioners Summer Conference to be held in Salt Lake City, Utah, from July 10-14, 2004. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis Excused Not Voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson to renew the Public Information Service Agreement with Larry Fauss. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis Excused Not Voting.

Motion made by Commission Lowell Johnson, seconded by Commissioner Anne Boyle to go into closed session. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE. Commissioners Frank Landis Excused Not Voting.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson to return to open session. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE. Commissioner Frank Landis Excused Not Voting.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to authorize a Communications Department employee to use catastrophic leave. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE. Commissioner Frank Landis Excused Not Voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson to authorize hiring a temporary employee in the Communications Department to replace an employee on medical leave.

The meeting adjourned at 10:41 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, and Vap present and Commissioner Landis excused. The next regularly scheduled meeting will be held on June 22, 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 June 21, 2004.

Chairman

Executive Director