

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

GENERAL ADMINISTRATION

Notice was duly published August 16, 2005 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 23, 2005 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

AD-320r In the Matter of Global Vantage, Inc., Larkspur, California,
AD-321r seeking registration authorizing the connection of an
 automatic dialing-announcing device to a telephone line:
On each application, motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the applications. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

AD-322 In the Matter of Equity One, Inc., Marlton, New Jersey,
 seeking authority to connect an automatic dialing-
announcing device: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

C-2370/
PI-41 In the Matter of the Commission, on its own motion, seeking
 to investigate the status of directory assistance within
 the state of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order closing the investigation. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

C-3206 In the Matter of the Commission, on its own motion, seeking
 to administer the Nebraska Internet Enhancement Fund:
Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting final payment. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3229/
PI-82 In the Matter of the Commission, on its own motion, seeking comment on the Section 272 Biennial Report for Qwest Communications International, Inc: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

C-3345/
NUSF-42/
PI-93 In the Matter of the Commission, on its own motion, seeking to investigate Qwest's Switched Access Charge Rates. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to schedule a Pre-hearing Conference for August 30, 2005, at 3:00 p.m. in the Commission Library, Lincoln, and continue the hearing previously scheduled for September 12 and 13, 2005, to October 25, 2005, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

C-3212 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of its Commercial Line-Sharing Amendment with DIECA Communications, Inc., d/b/a Covad Communications Company, Santa Clara, California, previously granted in Docket C-2335: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

C-3445 In the Matter of Alltel Nebraska, Inc., Little Rock, Arkansas, seeking a Commercial Mobile Radio Services interconnection agreement with Verizon Wireless, Bedminster, New Jersey: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

C-3429 In the Matter of Sprint Communications Company L.P., Overland Park, Kansas, seeking arbitration under the Telecommunications Act of certain issues associated with the proposed interconnection agreement between Sprint and Southeast Nebraska Telephone Company, Falls City: Shana Knutson informed the Commission that the hearing officer entered an order on August 17, 2005, ruling on the objections to Exhibits 7, 13 and 14 offered by Southeast Nebraska Telephone Company.

Gene Hand informed the Commission that TRS Advisory Board Meeting was scheduled for September 22, 2005, at 1:30 p.m. in the Commission Library, Lincoln.

UNIVERSAL SERVICE FUND

Jeff Pursley reported on the Late-Filed Carrier Remittances: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to levy a late fee against American Farm Bureau, Cox Nebraska Telcom and MCI Worldcom Communications and that the April, 2005 late-filed worksheet from Bullseye Telecom be included in the current complaint, NUSF-37.66 and that a complaint be filed against CIMCO Communications. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE and Commissioner Rod Johnson excused not voting.

NUSF-46/ In the Matter of the Joint Petition of Allo Communications, C-3448/ LLC, Imperial; Mobius Communications Company, Hemingford PI-102 and Pinpoint Communications, Inc., Cambridge, seeking to investigate findings and conclusions under C-2516 and NUSF-26 regarding competitive business telecommunications services: Commissioner Vap appointed as Hearing Officer.

NUSF-47 In the Matter of Orbitcom, Inc., Sioux Falls, South Dakota, seeking universal service support for supported services provided in Qwest exchanges: Commissioner Boyle appointed as Hearing Officer.

Jeff Pursley discussed the July 2005 Remittance Worksheet from Norlight Telecommunications, Inc. and the revenue adjustment exceeding the 10% rule. The Commission instructed Mr. Pursley to conduct an audit to support the company's requested revenue adjustments.

NUSF-48 In the Matter of the Commission, on its own motion, seeking to investigate issues related to providing dedicated universal service support for wireless telecommunications services: Jeff Pursley discussed the Hearing Officer's order that was issued on August 16, 2005, continuing the hearing from September 27, 2005, to October 4, 2005, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

E911 DEPARTMENT

Kara Thielen reported on Sprint's implementation of Phase II in Douglas County.

NATURAL GAS DEPARTMENT

NG-0028/ PI-97 In the Matter of the Commission, on its own motion, seeking to investigate and adopt policies for administration of Consumer Choice Programs offered by Jurisdictional Utilities for natural gas service in Nebraska. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the Public Advocate's Petition to Formally Intervene. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

LEGISLATIVE REPORT

Angela Melton reported on telecom legislative ideas for the annual report to the Legislature.

TRANSPORTATION DEPARTMENT

B-1662 In the Matter of Black Tie Limousine, Merrill, Iowa, seeking to acquire, through transfer, the authority granted to Black Tie Limousine, Inc. in Certificate B-1525: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order granting the application and revoking Certificate B-1525. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

B-1666 In the Matter of CABS, Inc., Sioux City, Iowa, seeking authority as a common carrier by taxicab in the transportation of passengers and their baggage over irregular routes between points in Cedar, Dixon, Dakota, Wayne, Thurston, Stanton, Cuming and Burt counties, on the one hand, and, on the other hand, points between said counties. Commissioner Rod Johnson presiding as Hearing Officer: An additional video conference site was added at the Von Riesen Library, Room 6, Basement level, 1205 East 3rd Street, McCook for the September 1, 2005 hearing.

Rate Division

BR-305 In the Matter of Katman Express, Crete, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

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 60 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-2113 In the Matter of Aurora Elevator Company, Aurora: John Fecht discussed the shortage of white corn, milo, and oats.

GW-2119 In the Matter of M. G. Waldbaum Grain Company dba Wayne Grain & Feed, Wayne, seeking a \$250,000.00 deductible on its stock insurance: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, Commissioner Rod Johnson excused not voting.

Commissioner Landis exited the Commission Hearing Room.

GENERAL ADMINISTRATION

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

Mike Bartels	\$ 621.88
Frank Landis	40.50
Gerald Vap	761.44

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Carl A. Johnson	576.45
Associated Health Care	674.95
Beltone Audiology & Hearing Center	267.80
Bosler Hearing Aid Center	1,027.95
Carl A. Johnson	836.60
Hamilton Telecommunications	214.90
K-D Communications	2,945.55
League of Human Dignity	403.85
Professional Hearing Aid Services	330.00
R & J Enterprises	220.90
Sherard Hearing Aid Center	1,342.30
Hearing Clinic Inc	450.00
Western ENT Associates PC	298.95
Weitbrecht Communications	1,821.25

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to approve the Commission minutes for the month of July 2005. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, Commissioners Rod Johnson and Frank Landis excused not voting.

Upon agreement of all Commissioners present, authorization was granted for Commissioner Rod Johnson to attend the Mid-America Cable Show from August 22-25, 2005, to be held in Overland Park, Kansas.

There being no need to address any matters in closed session, the meeting adjourned at 10:39 a.m. with Commissioners Boyle, Lowell Johnson and Vap present, Commissioners Landis and Rod Johnson excused. The next regularly scheduled meeting will be held on August 30, 2005, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on August 29, 2005.

Chairman

Executive Director