

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

GENERAL ADMINISTRATION

Notice was duly published August 26, 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 30, 2005 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, August 30, 2005:

C-3345/ Commission Library, Lincoln. Prehearing Conference.
NUSF-42/ In the Matter of the Commission, on its own motion, seeking
PI-93 to investigate Qwest's Switched Access Charge Rates.
3:30 Commissioner Landis presiding as Hearing Officer.

Wednesday, August 31, 2005:

M-14188 Video Hearing. Commission Library, Lincoln and Nebraska
9:00 State Office Building, 1313 Farnam Street, Room 207, Omaha.
In the Matter of Mike's Moving, Omaha, seeking authority as
a common carrier of household goods within fifteen (15)
miles of the Omaha city limits over irregular routes.
Commissioner Boyle presiding as Hearing Officer.

Thursday, September 1, 2005:

B-1666 Video Hearing. Commission Library, Lincoln; City Hall,
9:00 1615 First Avenue, South Sioux City and Von Riesen Library,
Room 6, 1205 East 3rd Street, McCook. 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.

COMMUNICATIONS DEPARTMENT

C-3446/
PI-100 In the Matter of the Commission, on its own motion, seeking comment on the request by United Way of the Midlands to be assigned the use of "211" in Wayne and Dixon counties for access to First Call for Help (FCFH), a comprehensive information and referral service: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order granting the application and scheduling a public meeting on September 14, 2005, at 10:00 a.m. in the City Council Chambers, City Hall, 306 Pearl, Wayne. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3447/
PI-101 In the Matter of the Commission, on its own motion, seeking to review the Qwest Corporation rate center consolidation plan: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to enter an order to approve the rate center consolidation plan. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E-2082 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Madison County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E-2083 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Antelope and Boone Counties: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, 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 discussed the Alltel-Western Wireless divestiture process which began August 1, 2005. Alltel has 120 days to divest 16 Cellular One (Western Wireless) markets, nine of which are in Nebraska. The Nebraska markets must be sold to a single purchaser. During the divestiture process, the properties to be divested will be managed by the court-appointed trustee, David S. Turetsky. Potential bidders should be referred to Brad R. Busse, President and COO, Daniels & Associates, 3200 Cherry Creek So. Drive, Suite 500, Denver, Colorado 80209, phone (303)778-5520 or fax (303)778-5599.

UNIVERSAL SERVICE FUND

NUSF-37.33 In the Matter of Jeffrey L. Pursley, Director, Universal Service Fund Department, Complainant vs. IDT America, Corporation, Respondent: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to enter an order scheduling a hearing for September 29, 2005 at 2:00 p.m. in the Commission Hearing Room, Lincoln. Commissioner Rod Johnson was appointed as Hearing Officer. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-48/ In the Matter of the Commission, on its own motion, seeking
PI-104 to investigate issues related to providing dedicated universal service support for wireless telecommunications services: Jeff Pursley discussed the Hearing Officer's order entered August 30, 2005, extending the comment deadline from September 2, 2005 to September 9, 2005.

E911 DEPARTMENT

911-011/ In the Matter of the Commission, on its own motion, seeking
PI-79 to establish Phase II enhanced wireless 911 service implementation: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order implementing Phase II Enhanced Wireless 911 Service. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

911-014/ In the Matter of the Commission, on its own motion, seeking
PI-99 to investigate issues related to the current state of landline and enhanced wireless 911 service and the means to ensure statewide access to landline 911 and enhanced wireless 911 service: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to schedule a hearing for October 18, 2005 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Vap was appointed Hearing Officer. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

911-015/ In the Matter of the Commission, on its own motion, seeking
PI-106 to investigate issues related to the calculation and reimbursement of costs to carriers of implementing enhanced wireless 911 service: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to enter an order to open the docket and request comment. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E911 DEPARTMENT (Cont.)

PSAP-36.2 In the Matter of the Lancaster County PSAP, Lincoln, seeking additional funding approval for recurring and non-recurring costs associated with the implementation of Wireless E911: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Kara Thielen informed the Commission that information regarding VoIP 911 has been put on the web for informational purposes.

Kara Thielen updated the Commission with a payment report.

NATURAL GAS DEPARTMENT

NG-0004.1 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking a waiver of the 30-day notice period under *Neb. Rev. Stat.* 66-1854 and to recover the gas cost portion of uncollectible accounts through its Gas Cost Adjustment tariff. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an Assessment Order. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NG-0023.1 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado, seeking approval of a Plan of Action to implement supply cost adjustment associated with Other Services Charge applicable to Nebraska Rate Schedules CGS (Choice Gas Service), ACGS-NSS (Agricultural Choice Gas Service Non-Seasonal Service), and ACGS-SS (Agricultural Choice Gas Service Seasonal Service). Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Assessment Order. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NG-0031 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking authority for Limited Cost Recovery in the State of Nebraska. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter a Notice of Assessment. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 8, Grain Warehouse and Grain #166 Dealer Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bills 52, 439 and 492 [2005]: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to enter an order proposing rules and scheduling a hearing for November 1, 2005, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Vap was appointed Hearing Officer. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Angela Melton reported on the proposed telecommunications legislative agenda for the annual report to the Legislature: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to approve the proposed telecommunications legislative agenda. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Angela Melton reported on the following legislative hearings:

LR 190	September 30, 2005 - 1:30 p.m. Room 1507, State Capitol
LR 136/144/143	October 21, 2005 - 9:00 a.m. Trails West YMCA Camp 1918 South Beltline Highway West Scottsbluff

Commissioner Landis exited the Commission Hearing Room.

TRANSPORTATION DEPARTMENT

B-1277 In the Matter of Mark Breiner, Director, Nebraska Public Service Commission vs. Brian L. Mills dba Fantasy Limousine, Omaha. Commissioner Boyle presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order to show cause and schedule a hearing for September 7, 2005, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis Excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

B-1655 In the Matter of JT Investments, Holdrege, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in limousine service by limousine between points in Phelps, Harlan, Kearney, Franklin, Gosper and Furnas Counties, and between points in said counties on the one hand, and, on the other hand, points in Nebraska over irregular routes: RESTRICTION: The transportation of railroad train crews and their baggage are not authorized: 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, Jerry Vap voting AYE, Commissioner Frank Landis excused not voting.

M-14131 In the Matter of S & B Enterprises, dba Apartment Movers of Omaha. Commissioner Boyle presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order to show cause and schedule a hearing for September 13, 2005, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis excused not voting.

Rate Division

LR-258 In the Matter of JT Investments, Holdrege, seeking authority to adjust its rates and charges: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis excused not voting.

TR-138 In the Matter of Safeway Cabs, Inc., Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Jerry Vap voting AYE, Commissioner Frank Landis excused not voting.

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.

Commissioner Landis returned to the Commission Hearing Room.

GRAIN WAREHOUSE DEPARTMENT

GW-2173 In the Matter of Emerson Grain, L.L.C., Emerson, seeking a Grain Warehouse License, subject to the fulfillment of all statutory requirements, for the license period ending June 30, 2006: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Grain Dealer Division

GD-2173 In the Matter of Emerson Grain, L.L.C., Emerson, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending June 30, 2006: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Michigan State University	\$	750.00
Michigan State University		750.00
Thomas West		557.20

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to go into closed session to discuss personnel and investigatory matters. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE. The Commission went into closed session at 10:35 a.m.

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to return to open session. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE. The Commission returned to open session at 10:37 a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation on a personnel matter. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

The meeting adjourned at 10:38 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on Wednesday, September 7, 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 Tuesday, September 6, 2005.

Chairman

Executive Director