

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:03 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

GENERAL ADMINISTRATION

Notice was duly published May 9, 2006 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 16, 2006 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 16, 2006:

1:30 Commission Library, Lincoln and Panhandle Learning Center, High Plains Room, 4502 Avenue I, Scottsbluff. In the Matter of Schedule A and E Rates and Charges. Commissioner Vap presiding as Hearing Officer.

Wednesday, May 17, 2006:

C-3520/ Dalton Senior Center, 224 Main Street, Dalton.  
C-3521 Huntel public information meeting to answer any questions  
4:00 about the change of ownership to American Broadband.

Thursday, May 18, 2006:

C-3520/ Elsie Legion Hall, Elsie.  
C-3521 Huntel public information meeting to answer any questions  
9:30 about the change of ownership to American Broadband.

Tuesday, May 23, 2006:

Rule and Commission Hearing Room, Lincoln.  
Regulation In the Matter of the Commission, on its own motion,  
#157A seeking to amend Title 291, Chapter 9, Natural Gas  
1:30 and Pipeline Rules and Regulations, to adopt rules in  
accordance with Nebraska Legislative Bill 790 [2003].  
Commissioner Landis presiding as Hearing Officer.

3:00 Commission Hearing Room, Lincoln. Workshop.  
Presentation by representatives of NorthWestern and Babcock  
and Brown Infrastructure regarding recent acquisition  
activity.

COMMUNICATIONS DEPARTMENT

AD-341 In the Matter of Community Venture Group, LLC, Omaha, seeking authority to connect an automatic dialing-announcing device: 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.

C-3485 In the Matter of Larry and Barb Wilshusen, 2304 East 29 Road, Hordville, seeking authority to receive telephone service from the Hamilton Telephone Company, Aurora: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3559/  
DC-72 In the Matter of the Commission, on its own motion, seeking filing of the 2005 Annual Report: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order to show cause against telecommunications carriers for failure to file an annual report on time. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3575 In the Matter of YMax Communications Corp., Palm Beach, Florida, seeking authority to provide facilities-based and resold local exchange and exchange access services within the state of Nebraska: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, 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-3577 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Qwest Digital Subscriber Line Amendment to the Interconnection Agreement with NorthStar Telecom, Inc., Fremont, previously approved in C-3095: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3578 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Triennial Review Order and Triennial Review Remand Order ("TRO/TRRO") amendment to an Interconnection Agreement with NOS Communications, Inc., Las Vegas, Nevada, previously granted in C-2564: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3579 In the Matter of Qwest Corporation, Denver, Colorado, seeking a CLEC-to-CLEC Cross Connections Amendment to the Interconnection Agreement between Qwest Corporation, Denver, Colorado, and NexGen Integrated Communications, L.C. (f/k/a NewPath Holdings, Inc.), Clive, Iowa, previously granted in C-2305: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3049 In the Matter of the Commission, on its own motion, seeking to conduct an investigation into possible solutions for extending the life of area codes 308 and 402: Gene Hand informed the Commission on the status of the docket, the current status of mandatory pooling in the 402 area code, and reviewed Progression Order #1 entered May 10, 2006, by Hearing Officer Landis.

UNIVERSAL SERVICE FUND

NUSF-32.05 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant, vs. Light-year Network Solutions, Inc., Louisville, Kentucky, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order to show cause for failure to timely remit the required 2004 Remittance Audit and schedule a hearing for June 20, 2006 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.

NUSF-37.14 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant, v. Trans-Communications, Inc., Chattanooga, Tennessee, Respondent: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order closing the docket due to carrier bankruptcy. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-37.60 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant, v. Comm-South Companies, Inc., Dallas, Texas, Respondent: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order closing the docket due to carrier bankruptcy. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE. The hearing previously scheduled for a date later to be determined was cancelled.

UNIVERSAL SERVICE FUND (Cont.)

Jeff Pursley informed the Commission that the Nebraska Universal Service Fund Advisory Board Meeting is scheduled for May 25, 2006 at 1:00 p.m. via video, in the Commission Library, Lincoln and McMillen Hall, Room 208, 1205 East 3<sup>rd</sup> Street, McCook.

Jeff Pursley informed the Commission that a press release was distributed on May 12, 2006, seeking applications to fill two vacancies on the Nebraska Universal Service Fund Advisory Board, one position each for telecommunications and libraries. Applications are due May 24, 2006.

NATURAL GAS DEPARTMENT

Laura Demman informed the Commission that a workshop to be presented by representatives of NorthWestern and Babcock and Brown Infrastructure regarding recent acquisition activity was scheduled for May 23, 2006, at 3:00 p.m. in the Commission Hearing Room, Lincoln.

TRANSPORTATION DEPARTMENT

B-1685 In the Matter of James E. & Rhonda Joneson, d/b/a Leisure Limousine and Sedan Service, Lincoln, seeking to acquire, through transfer, the authority held by A & R Klassic Kars Limousine Service, LLC, in Certificate B-1599: A video hearing was scheduled for June 8, 2006, at 9:30 a.m. in the Commission Library, Lincoln, and the Nebraska State Office Building, Room 207, 2<sup>nd</sup> Floor, 1313 Farnam Street, Omaha. Commissioner Landis was appointed as Hearing Officer.

FC-1330 In the Matter of Judith E. Timms vs. S & B Enterprises, d/b/a Apartment Movers of Omaha: A video hearing was scheduled for June 8, 2006, at 1:30 p.m. in the Commission Library, Lincoln, and the Nebraska State Office Building, Second Floor, Room 207, 2<sup>nd</sup> Floor, 1313 Farnam Street, Omaha. Commissioner Boyle was appointed 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-F: The fuel surcharge was increased to 72 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-371 In the Matter of Prinz Grain & Feed, Inc., West Point: John Fecht discussed the shortage of soybeans.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GW-1136 In the Matter of Central Valley Ag Cooperative, Nonstock, O'Neill, seeking to buy the grain represented on lost receipt B678337 issued to Justin Janecek: Motion made by Commissioner Rod 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.

GW-1136 In the Matter of Central Valley Ag Cooperative, Nonstock, O'Neill, seeking to buy the grain represented on lost receipts B683890 and B683891 issued to Borer Farms, Inc., Elgin: Motion made by Commissioner Rod 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 Jerry Vap, seconded by Commissioner Anne Boyle, to approve the following Commission invoice. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Thomson West	\$	573.92
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Upon agreement of all Commissioners, authorization was granted for Mark Luttich to travel to Council Bluffs, Iowa, on May 18, 2006, to attend the Annual Meeting of the Nebraska Manufactured Home Association, with expenses to be paid from the Manufactured Home Program.

Upon agreement of all Commissioners, authorization was granted for Mike Bartels to attend the Association of American Warehouse Control Officials (AAWCO) Annual Meeting to be held in Boise, Idaho from July 29 to August 2, 2006.

Andy Pollock reported that the Commission received no auto-dialer complaints during the past week.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the hiring recommendation of the Executive Director for the law clerk position. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

The meeting adjourned at 10:37 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on Wednesday, May 24, 2006, at 9:00 a.m. with an agenda to be available in the office of the Executive Director at 9:00 a.m. on Tuesday, May 23, 2006.

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Chairman

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Executive Director