

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

GENERAL ADMINISTRATION

Notice was duly published July 3, 2006 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held July 11, 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, July 11, 2006:

1:30 Commission Hearing Room, Lincoln.
Commissioner Landis presiding as Hearing Officer.
In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Department, Complainant, v.:

NUSF-37.71 CIMCO Communications, Incorporated, Oakbrook Terrace, Illinois, Respondent.

NUSF-37.81 Startec Global Licensing Company, Potomac, Maryland, Respondent.

NUSF-37.83 Access Point, Inc., Cary, North Carolina, Respondent.

NUSF-37.85 Buzz Telecom Corporation, Merrillville, Indiana, Respondent.

NUSF-37.86 Globalcom, Inc., Chicago, Illinois, Respondent.

Wednesday, July 12, 2006:

NG-0037 Commission Library, Lincoln. Planning Conference.
1:30 In the Matter of NorthWestern Corporation, d/b/a NorthWestern Energy, Sioux Falls, South Dakota; Babcock & Brown Infrastructure Limited, BBI US Holdings Pty Ltd., Sydney NSW 2000, Australia; BBI US Holdings II Corp., and BBI Glacier Corp., San Francisco, California, seeking approval of the proposed change in control of NorthWestern Corporation. Commissioner Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3324 In the Matter of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless, Fort Morgan, Colorado, seeking a designation as an eligible telecommunications carrier under 47 U.S.C. Section 214(e)(2). Commissioner Jerry Vap presiding as Hearing Officer: Gene Hand discussed the Motion for Order Compelling Service of Document filed July 11, 2006, by the Rural Telephone Companies. An oral argument on the motion was scheduled for July 19, 2006, at 9:30 a.m. in the Commission Hearing Room, Lincoln.

C-3559/
DC-72 In the Matter of the Commission, on its own motion, seeking compliance of the 2005 Annual Report filings. Commissioner Anne Boyle presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order to dismiss the complaint in part. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E-2115 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Thomas, Logan and Lincoln Counties: Motion made by Commissioner Rod 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-021/
PI-120 In the Matter of the Commission, on its own motion, seeking to investigate issues related to intertandem trunking across the State of Nebraska for use in the provision of wireless enhanced 911 service: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order opening the docket and seeking comments due on or before August 11, 2006. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE. Commissioner Boyle was appointed as Hearing Officer.

Jeff Pursley informed the Commission that the Commission minutes for July 5, 2006 incorrectly stated that the Wireless E911 Advisory Board Meeting scheduled for August 7, 2006 would be held by video between Lincoln and South Sioux City. The correct locations are the Commission Library, Lincoln and the Panhandle Learning Center, High Plains Room, 4502 Avenue I, Scottsbluff.

NATURAL GAS DEPARTMENT

NG-0013 In the Matter of the Commission, on its own motion, seeking to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act [LB 790, 2003]. Frank Landis presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter Progression Order No. 12. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NG-0036 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Vap presiding as Hearing Officer: Laura Demman reported that Hearing Officer Vap issued an order July 10, 2006, scheduling a planning conference for July 19, 2006, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

P-0011 In the Matter of Aquila, Inc., Omaha, seeking resolution of a dispute under Neb. Rev. Stat. §57-1306. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order finding for Aquila. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Laura Demman provided monthly and annual summary reports on the number and nature of natural gas consumer inquiries and complaints received.

PUBLIC COMMENT

Chairman Lowell Johnson invited public comment. There was none.

TRANSPORTATION DEPARTMENT

B-1677 In the Matter of Myers Luxury Coaches, Inc., Stuart, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in special party or charter service between points in the state of Nebraska by bus. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to grant the application as amended. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1685 In the Matter of James E. and Rhonda Joneson, d/b/a Leisure Limousine and Sedan Service, Lincoln, seeking to acquire, through transfer, the certificate held by A & R Klassic Kars Limousine Service, LLC, in Certificate Number B-1599: The hearing scheduled for July 13, 2006, has been continued to a date later to be determined.

Rate Division

BR-310 In the Matter of Charles A. Ward, d/b/a Panda Transportation, Valentine, seeking authority to amend its van rates: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

BR-317 In the Matter of Myers Luxury Coaches, Inc., Stuart, seeking authority to adjust its rates and charges: 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.

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 76 cents per mile.

PI-110 In the Matter of the Commission, on its own motion, seeking to investigate commuter transportation services between Omaha and Lincoln, and points in between: Mark Breiner reported and discussion was had, on potential workshop locations.

GRAIN WAREHOUSE DEPARTMENT

In the Matter of John A. Fecht, Director, Grain Warehouse Department, Complainant v. the following Respondents: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving stipulation, dismissing the order to show cause and canceling the hearing previously scheduled for July 18, 2006. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

GW-145 Auburn Elevator Company, Auburn.
GW-2045 Humphrey Feed & Supply, Inc., Humphrey.
GW-2093 Sherman Inc., d/b/a Sherman Feed & Supply, Auburn.
GD-1746 George L. Verbeek, d/b/a Verbeek Trucking, Roca.
GD-2872 West Plains Grain, Inc., Hay Springs.
GD-2896 Behmer Trucking, Inc., Winside.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

Grain Dealer Division

GD-2911 In the Matter of UBE Services, LLC, Wichita, Kansas, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the period ending June 30, 2007: 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.

GENERAL ADMINISTRATION

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

Voyager	\$	1,704.94
Robert Bowman		835.77
Fred Massing		1,035.91
Kent Pribyl		711.55

Upon agreement of all Commissioners, authorization was granted for Tim Sandusky to travel to Osage Beach, Missouri from August 7-11, 2006, to attend the Federal Railroad Administration's track workshop.

Andy Pollock discussed the changes LB 898 (2006) makes to the Nebraska Open Meetings Act.

The meeting adjourned at 11:52 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on July 18, 2006, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on July 17, 2006.

Chairman

Executive Director