

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:04 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

GENERAL ADMINISTRATION

Notice was duly published July 11, 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 July 18, 2006, 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:

Wednesday, July 19, 2006:

C-3324 Commission Hearing Room, Lincoln.  
9:30 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.

NG-0036 Commission Hearing Room, Lincoln.  
1:30 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Vap presiding as Hearing Officer.

Thursday, July 20, 2006:

DC-71/ Holiday Inn Express, Meeting Room, 803 East US Highway  
NUSF-53 20, Valentine. In the Matter of Maurice Gene Hand,  
3:00 Director, Communications Department and Jeffrey L. Pursley, Director, Universal Service Fund Department, Complainants, v. Qwest Corporation, Respondent. Commissioner Vap presiding as Hearing Officer.

Monday, July 24, 2006:

PI-110 Commission Library, Lincoln. Public Meeting.  
6:30 In the Matter of the Commission, on its own motion, seeking to investigate commuter transportation services between Omaha and Lincoln and points in between. Commissioner Boyle presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3606 In the Matter of Norlight Telecommunications, Inc.,  
Brookfield, Wisconsin, seeking approval of a Pro Forma  
Transfer of Control with Journal Communications, Inc., Milwaukee,  
Wisconsin: Motion made by Commissioner Anne Boyle, seconded by  
Commissioner Jerry Vap, 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-3604 In the Matter of Qwest Corporation, Denver, seeking a  
Triennial Review Order and Triennial Review Remand Order  
("TRO/TRRO") Amendment to an interconnection agreement with DIECA  
Communications, Inc., d/b/a Covad Communications Company, San Jose,  
California, previously approved in C-3351: Motion made by Commis-  
sioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an  
order to approve the application. Motion passed with Commissioners  
Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap  
voting AYE.

C-3608 In the Matter of Qwest Corporation, Denver, Colorado,  
seeking an Omaha Forbearance Order ("OFO") amendment to an  
interconnection agreement with FiberCom, LLC, Sioux City, Iowa,  
previously approved in C-2610: Motion made by Commissioner Anne  
Boyle, seconded by Commissioner Rod Johnson, to enter an order to  
approve the application. Motion passed with Commissioners Anne Boyle,  
Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3610 In the Matter of Qwest Corporation, Denver, Colorado,  
seeking an Omaha Forbearance Order ("OFO") amendment to an  
interconnection agreement with Global Connection, Inc. of America,  
d/b/a GCIA, Atlanta, Georgia, previously approved in C-3311: Motion  
made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson,  
to enter an order to approve the application. Motion passed with  
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis  
and Jerry Vap voting AYE.

C-3615 In the Matter of Qwest Corporation, Denver, Colorado,  
seeking an Omaha Forbearance Order ("OFO") amendment to an  
interconnection agreement with Ernest Communications, Inc., Norcross,  
Georgia, previously approved in C-3563: Motion made by Commissioner  
Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order to  
approve the application. Motion passed with Commissioners Anne Boyle,  
Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E-2119 In the Matter of the Lincoln Electric System, Lincoln,  
seeking authority to construct, operate and maintain an  
electric transmission line in Lancaster County: Motion made by  
Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, 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

911-22 In the Matter of the Commission, on its own motion, seeking to process wireless service provider requests for funding for Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

911-22.1 In the Matter of Verizon Wireless, Alpharetta, Georgia, seeking additional funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order approving costs and incorporating prior dockets. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

911-022.2 In the Matter of i wireless, Urbandale, Iowa, seeking additional funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving funding. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

PSAP-25.1 In the Matter of Lincoln County PSAP, North Platte, seeking funding approval for recurring and non-recurring costs associated with Wireless E911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving funding. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-37.82 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant, v. Touch 1 Communications, Inc., Atmore, Alabama, Respondent: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-37.94 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant, v. Virgin Mobile USA, Warren, New Jersey, Respondent: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-50 In the Matter of the Commission, on its own motion, seeking to make adjustments to the universal service fund mechanism established in NUSF-26: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order seeking comments due on or before August 17, 2006, on the staff's proposal. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Jeff Pursley discussed a Petition for Order on behalf of the Nebraska Telecommunications Association requesting the elimination of the requirement to report access line counts.

NATURAL GAS DEPARTMENT

NG-0037 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. Jerry Vap presiding as Hearing Officer: Motion was made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter a Planning Conference Order scheduling a Technical and Prehearing Conference for September 20, 2006, at 10:00 a.m. in the Commission Library, Lincoln; scheduling a hearing for September 27, 2006, at 10:00 a.m. in the Commission Hearing Room, Lincoln; and granting interventions. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Angela Melton reported on interim legislative studies.

TRANSPORTATION DEPARTMENT

Commissioner Landis exited the Commission Hearing Room.

PI-110 In the Matter of the Commission, on its own motion, seeking to investigate commuter transportation services between Omaha, Lincoln and points in between. Commissioner Boyle presiding as Hearing Officer: A video meeting seeking public comment was scheduled for July 24, 2006, at 6:30 p.m. in the Commission Library, Lincoln, and the Nebraska State Office Building, Room 207, 1313 Farnam Street, Omaha.

TRANSPORTATION DEPARTMENT (Cont.)

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 78 cents per mile.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich reported on the re-inspection of the Musil/Magnolia complaint near Potter, including revisiting the homeowner's newest issues with the home. He advised the Commission that he would be having a conversation with the factory soon on the observations made during the re-inspection.

Mark Luttich reported that he would be speaking at the Nebraskaland Conference of Building Officials and Inspectors being held in Kearney on July 21, 2006. The scheduled topic will be explaining and improving Official and Inspector's understanding of their duties involving the proposed manufactured home installation program and also their duties with modular housing unit installations. He informed the Commission that he would also be speaking to the industry on the Federal Manufactured Home Installation Program within the next several weeks.

Mark Luttich informed the Commission that a new recreational vehicle factory began shipping into Nebraska and that several problems were found with their construction. The problems were more than normally found so Ted Burkey was sent to their factory for an inspection. Mark Luttich commented on how well the agreement with Ted Burkey works, basically because of his abilities and work ethic, and the agreements' ability to assist in protecting the consumer.

GRAIN WAREHOUSE DEPARTMENT

Commissioner Landis returned to the Commission Hearing Room during discussion of Docket GW-2176.

GW-2176 In the Matter of L & L Pork, Inc., d/b/a Randolph Elevator, Randolph, seeking approval for a grain warehouse license: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to issue a grain warehouse license effective July 18, 2006 - June 30, 2007. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis present not voting.

GENERAL ADMINISTRATION

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

DAS - Finance and Support (Postage)	\$ 683.60
Ted Burkey	2,360.00
Ted Burkey	3,300.00
Thompson West	573.92

Upon agreement of all Commissioners, authorization was granted for Commissioner Anne Boyle to attend the CTIA Wireless I.T. & Entertainment 2006 Conference to be held in Los Angeles, California from September 12-14, 2006 with most expenses to be reimbursed by CTIA.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to waive the hearing fee in proceedings in which a party elects to use an outside court reporter. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Upon agreement of all Commissioners, the probationary period for the Moisture Meter Inspector was extended to September 1, 2006, due to insufficient time to train because of a high number of grain warehouse examinations.

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The meeting adjourned at 10:44 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on July 25, 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 24, 2006.

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Chairman

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Executive Director