

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson and Vap present, and Commissioner Landis excused. Chairman Johnson also invited the public to address the Commission at any point during the meeting. He also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

#### GENERAL ADMINISTRATION

Notice was duly published October 3, 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 October 11, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

#### COMMUNICATIONS DEPARTMENT

NUSF-60/ In the Matter of the Commission, on its own motion, seeking  
C-3702/ to investigate Clarks Telecommunications Company's Access  
PI-123 Rates: Gene Hand reported that this docket will be  
addressed during the Nebraska Infrastructure and Public  
Safety Department agenda where a pre-hearing conference will be sche-  
duled for November 20, 2006 at 1:30 p.m. in the Commission Library,  
Lincoln, and a hearing for December 4, 2006 at 1:00 p.m. in the Com-  
mission Hearing Room, Lincoln.

E-2126 In the Matter of Loup River Public Power District, Columbus  
seeking authority to construct, operate and maintain an  
electric transmission line in Platte County: Motion made by Commis-  
sioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an  
order granting the application. Motion passed with Commis-sioners  
Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and  
Commissioner Frank Landis excused not voting.

#### TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-60/ In the Matter of the Commission, on its own motion, seeking  
C-3702/ to investigate Clarks Telecommunications Company's Access  
PI-123 Rates: Motion made by Commissioner Anne Boyle, seconded by  
Commissioner Jerry Vap, to temporarily suspend Clarks  
Telecommunications Company's tariff and to enter an order opening an  
investigation to demonstrate whether Clarks Telecommunications Company  
should receive NUSF high cost support: A pre-hearing conference was  
scheduled for November 20, 2006 at 1:30 p.m. in the Commission  
Library, Lincoln, and a hearing for December 4, 2006 at 1:00 p.m. in  
the Commission Hearing Room, Lincoln. Motion passed with Commis-  
sioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting  
AYE, and Commissioner Frank Landis excused not voting. Commissioner  
Landis was appointed as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1/ PO #18 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund. Commissioner Landis presiding as Hearing Officer: Jeff Pursley discussed the Hearing Officer's order dated October 6, 2006, granting the motion of the Rural Independent Companies' to extend the testimony due on October 30, 2006, to November 17, 2006.

NUSF-4 In the Matter of the Commission, on its own motion, seeking to determine the level of the fund necessary to carry out the Nebraska Telecommunications Universal Service Fund Act for the fiscal year beginning July 2006: Jeff Pursley reported on the comments that were received on September 29, 2006.

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: Jeff Pursley reported on the comments that were received on September 29, 2006.

Jeff Pursley informed the Commission that the NUSF Advisory Board is scheduled to meet on Wednesday, October 18, 2006, at 1:00 p.m. in the Commission Library, Lincoln.

Jeff Pursley reported that there are two vacant positions on the NUSF Advisory Board: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the recommendation of Rodney Thiemann, Great Plains Communications, as telecommunications representative and Dave Glover, DKG Consulting, as rural health care representative for the vacant board positions. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Jeff Pursley reported on the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to amend the current complaint NUSF-37.99 against Reduced Rate Long Distance, Inc., Orlando, Florida, to include the late-filed July, 2006 worksheet. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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 Jerry Vap, seconded by Commissioner Anne Boyle, to enter Progression Order No. 13. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry

NATURAL GAS DEPARTMENT (Cont.)

NG-0013 Continued:

Vap voting AYE, and Commissioner Frank Landis excused not voting. Laura Demman also reported that all assessments, quarterly and special, to jurisdictional utilities will be paid electronically.

NG-0040 In the Matter of Kinder Morgan, Inc., Houston, Texas; KM Retail Utilities Holdco LLC, Houston, Texas; Source Gas Distribution LLC, Lakewood, Colorado, seeking approval of asset transfer of jurisdictional utility assets: Laura Demman reported the application was filed October 3, 2006 and Commissioner Vap was appointed Hearing Officer.

TRANSPORTATION DEPARTMENT

TR-155 In the Matter of Happy Cab, Inc., Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the application as modified. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and 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 56 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

Grain Dealer Division

GD-2914 In the Matter of D & M Popcorn, L.L.C., Ogallala, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending September 30, 2007: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Grain Warehouse Division

GW-2138 In the Matter of Atlanta Elevator, Inc., Atlanta: Nichole Underhill reported on the Nebraska Supreme Court decision in the State v. White criminal proceeding.

GENERAL ADMINISTRATION

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

HHS Finance & Support	\$	703.20
Voyager		1,036.03
Robert Bowman		868.04
Fred Massing		1,014.95
Kent Pribyl		581.00
Anne Boyle		213.57
Rod Johnson		662.71

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing		373.04
Beltone		3,082.05
Harris Communications		530.90
Hearing Aid Center of Columbus		102.41
Hearing Aid Specialists Inc		355.00
Carl Johnson, Jr.		578.45
K-D Communications		982.85
Teltex		149.70
Weitbrecht Communications		1,020.75

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve the terms of the Engagement Agreement between the Public Advocate and its consultant, Dahlen, Berg & Co. in Docket NG-0036, as to form and content of compensation and billing processing arrangements and modified fee schedule. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Upon agreement of all Commissioners present, authorization was granted for Fred Massing to travel to Clay Center, Kansas on October 18, 2006, to conduct a modular housing unit factory inspection at Wardcraft Homes with all expenses, including time, to be reimbursed by Wardcraft Homes.

Andy Pollock reported on plans to redesign the Commission's web site. Tyler Frost will coordinate the redesign. Mr. Pollock asked the Commissioners to let him know of any recommendations they have.

Andy Pollock reported on the status of the renovation, saying that all plans were on hold. The Nebraska Department of Administrative Services will issue a Request for Proposal, searching for new space for the Commission's office.

The meeting adjourned at 10:30 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson and Vap present, and Commissioner Landis excused. The next regularly scheduled meeting will be held on October 17, 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 October 16, 2006.

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Chairman

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Executive Director