

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:04 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 November 21, 2006 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held November 28, 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, November 28, 2006:

Rule and Commission Hearing Room, Lincoln.  
Regulation In the Matter of the Commission, on its own motion, seeking  
#162 to amend Title 291, Chapter 12, Manufactured Housing Rules  
1:30 and Regulations, previously written under Title 178,  
Chapter 16, through Health and Human Services and to create  
an Ad Hoc Committee; correct technical errors, grammar,  
punctuation, spelling, sequential numbering and the like;  
and to reprint the chapter in its entirety. Commissioner  
Vap presiding as Hearing Officer.

#### Wednesday, November 29, 2006:

NG-0036 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado,  
seeking approval of a general rate increase. Commissioner  
Rod Johnson presiding as Hearing Officer.  
11:00 AM Community Center, 111 South Main Street, Coleridge.  
6:00 PM Knights of Columbus Hall, Albion.

#### Thursday, November 30, 2006:

NG-0036 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado,  
seeking approval of a general rate increase. Commissioner  
Rod Johnson presiding as Hearing Officer:  
11:00 AM Babel's Barn, 510 West Old Military Road, Wood River.  
6:00 PM Clay County Activity Center, Clay County Fairgrounds, 701  
North Martin, Clay Center.

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting applications C-3425 through C-3700. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-3425 In the Matter of CrossConnect, Fairfield, Ohio, seeking authority to change its name to PNG Telecommunications, Inc., d/b/a PowerNet Global Communications and PNG Telecommunications, Inc., d/b/a CrossConnect.

C-3700 In the Matter of Newcastle Holdings, Inc., (NHI) Charlotte, North Carolina, seeking approval to transfer NHI's authority to operate as an interexchange carrier of telecommunications services within the State of Nebraska to its wholly-owned subsidiary, Dalton Telecommunications, Inc., (DTI) Charlotte, North Carolina.

C-3702/  
NUSF-60/  
PI-123 In the Matter of the Commission, on its own motion, seeking to investigate Clarks Telecommunications Company's access rates: Gene Hand reported that this docket will be addressed during the Telecommunications Infrastructure and Public Safety Department agenda where the hearing was rescheduled from December 4, 2006 to January 19, 2007 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving applications C-3703 through C-3711. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-3703 In the Matter of Qwest Corporation, Denver, Colorado, seeking a wireline interconnection agreement with MCImetro Access Transmission Services, LLC, Ashburn, Virginia.

C-3705 In the Matter of Qwest Corporation, Denver, Colorado, seeking a special promotion for available inventory collocation sites amendment to the interconnection agreement with DIECA Communications Inc., dba Covad Communications Company, Denver, Colorado, previously granted in Docket C-3351.

C-3707 In the Matter of Qwest Corporation, Denver, Colorado, filing under protest of the Commercial Agreement with Trans National Communications International, Inc., Boston, Massachusetts, for Provision Qwest Platform Plus Service (QPP).

COMMUNICATIONS DEPARTMENT (Cont.)

C-3711 In the Matter of Cambridge Telephone Company, Cambridge, seeking an interconnection and reciprocal compensation agreement with Pinpoint Wireless, Inc., Cambridge.

Gene Hand reported on a complaint still under investigation.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-37.99 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Reduced Rate Long Distance, LLC, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order granting Qwest's Petition for Intervention and continuing the hearing previously scheduled for December 4, 2006 to January 19, 2007 at 10:00 a.m. in the Commission Hearing Room, Lincoln. 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-0036 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter Assessment Order HSD-007. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter a Protective Order. 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 (Cont.)

P-0013.4 In the Matter of Metropolitan Utilities District of Omaha, Omaha, providing notice required by *Neb. Rev. Stat.* Section 66-1863, that it intends to extend or enlarge its service area or extend a gas main: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT

B-1683 In the Matter of CUSA ES, LLC, d/b/a Express Shuttle, Bismarck, North Dakota, seeking authority as a contract carrier for the transportation of railroad train crews. Commissioner Landis presiding as Hearing Officer: An oral argument for a declaratory ruling was scheduled for December 13, 2006, at 10:00 a.m. in the Commission Hearing Room, Lincoln.

Mark Breiner discussed insurance requirements for private carriers of property.

Rate Division

LR-270 In the Matter of VIP Limousine, LLC, 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 in part and denying in part. Motion passed with Commissioners Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, Commissioner Anne Boyle voting NAY, 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 60 cents per mile.

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.

DAS-Central Finance-Communications Billing	\$4,335.73
Rod Johnson	350.16
Gerald Vap	655.06

GENERAL ADMINISTRATION (Cont.)

Upon agreement of all Commissioners present, authorization was granted for Mark Breiner to travel to and attend the National Conference of State Transportation Specialists Mid-Winter Meeting to be held in Phoenix, Arizona from January 13 through 18, 2007.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to set the mileage reimbursement rate for field staff using personal vehicles at 37 cents. 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, the following Commission meeting dates were scheduled for the first quarter of 2007.

January 9, 17 (Wed), 23 and 30;  
February 6, 13 and 27; and  
March 6, 13 and 20.

No meetings the week of January 1, February 19 or March 26.

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The meeting adjourned at 10:42 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 December 5, 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 December 4, 2006.

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Chairman

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Executive Director