

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Johnson, Landis, Schram and Vap present, and Commissioner Boyle excused. Chairman Johnson 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. He reminded those in attendance that the May 1 Commission meeting would begin at 9:00 a.m.

GENERAL ADMINISTRATION

Notice was duly published April 17, 2007 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held April 25, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Monday, April 30, 2007:

911-019/ Atrium Conference Center, 2nd Floor, Lincoln. Workshop.
PI-118 In the Matter of the Commission, on its own motion, seeking
9:00 to implement provisions of LB 1222 [2006] and to establish
a permanent funding mechanism for wireless enhanced 911
service. Commissioner Boyle presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3554/ In the Matter of the Commission, on its own motion, seeking
NUSF-50/ to investigate whether the zones established in Docket
PI-50 C-2516 are appropriate in light of NUSF-26 findings and
conclusions. Commissioner Jerry Vap presiding as Hearing
Officer: John Burvainis reported that a Hearing Officer order was
issued on April 20, 2007 to move the start date of the May 1, 2007
hearing from 1:00 p.m. to 10:00 a.m.

C-3781 In the Matter of Yak Communications (America) Inc., Aventure,
Florida; Yaktastic Inc., Tampa, Florida; and Black-
ird Corporation, Aventure, Florida, seeking approval Nunc Pro Tunc of
a transfer of control of Yak Communications (America) Inc.: Motion
made by Commissioner Frank Landis, seconded by Commissioner Tim
Schram, to enter an order granting the application. Motion passed
with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap
voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving the following applications in Dockets C-3769 through C-3777. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

- C-3769 In the Matter of Hamilton Telephone Company, Aurora, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3178.
- C-3770 In the Matter of Hartington Telecommunications Co., Inc., Hartington, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3166.
- C-3771 In the Matter of Hershey Cooperative Telephone Co., Inc., Hershey, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3167.
- C-3772 In the Matter of K & M Telephone Company, Inc., Chambers, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3174.
- C-3773 In the Matter of Nebraska Central Telephone Company, Gibbon, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3168.
- C-3774 In the Matter of Northeast Nebraska Telephone Company, Jackson, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3169.
- C-3775 In the Matter of Rock County Telephone Company, Blair, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3199.
- C-3776 In the Matter of Stanton Telecom, Inc., Stanton, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3170.
- C-3777 In the Matter of Three River Telco, Lynch, seeking approval of an amendment to the Interconnection Agreement with Alltel Communications, Inc., Little Rock, Arkansas, previously granted in Docket C-3171.

John Burvainis discussed the letter received from Omaha Public Power District regarding a new power line being built.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-022.06 In the Matter of Western Wireless, Bellevue, Washington, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation and closing a prior docket: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order incorporating a prior docket and closing a prior docket. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order to reconsider a previous order and grant funding in part in Dockets 911-023.4 and 911-023.7. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

911-023.4 In the Matter of Custer County, Broken Bow, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.7 In the Matter of Cedar County, Public Safety Answering Point, Hartington, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving funding requests for Phase I LEC costs in Dockets 911-023.5, 911-023.49 and 911-023.56. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

911-023.5 In the Matter of Hall County, Grand Island, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.49 In the Matter of Sheridan County, Rushville, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.56 In the Matter of Nance County, Fullerton, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting Phase II implementation funding in Dockets 911-023.21, 911-023.25, 911-023.29, 911-023.40 and 911-023.47. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-023.21 In the Matter of Boyd-Holt Counties, Public Safety Answering Point, O'Neill, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.25 In the Matter of Lincoln County, North Platte, seeking funding approval for recurring and non-recurring costs associated with Wireless E911 implementation.

911-023.29 In the Matter of Saline County, Public Safety Answering Point, Wilber, and Crete Police Department, Crete, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.40 In the Matter of the Boone County, Public Safety Answering Point, Albion, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.47 In the Matter of Knox County, Center, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram to enter an order approving funding requests for GIS mapping costs in Dockets 911-023.49, 911-023.56 and 911-023.57. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

911-023.49 In the Matter of Sheridan County, Rushville, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.56 In the Matter of Nance County, Fullerton, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.57 In the Matter of Hastings Police Department, Hastings, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

NUSF- In the Matter of Jeffrey L. Pursley, Director, Nebraska
37.103 Infrastructure and Public Safety Department, Complainant
v. McGraw Communications, Inc., New York, New York,
Respondent. Motion made by Commissioner Tim Schram, seconded by
Commissioner Frank Landis, to enter an order dismissing the complaint.
Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram
and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not
voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-50/ PO #3/ C-3554/ PI-112 In the Matter of the Commission, on its own motion, seeking to make adjustments to the universal service fund mechanism established in NUSF-26: The Hearing Officer's order entered April 20, 2007, changing the time of the hearing on May 1, 2007, from 1:00 p.m. to 10:00 a.m. was discussed under the Communications Department's agenda.

WC 05-337 In the Matter of Iowa Telecom's Petition for Interim Waiver of the Commission's universal service high cost loop support mechanisms: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Nebraska Commission's participation in this proceeding. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Angela Melton discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to levy late-fees against Airespring, Inc. and Convergia, Inc. and, to file a Complaint against Gold Line Telemanagement, Inc. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NATURAL GAS DEPARTMENT

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. Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter Assessment Order HS-006. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. Laura Demman discussed the third Hearing Officer Order entered April 24, 2007, rescheduling the prehearing conference on May 22, 2007, from 2:00 p.m. CDT to 3:00 p.m. CDT.

Town Hall Meetings were scheduled for the following dates:

May 16, 2007	10:00 a.m.	Madison County Board Room 1313 North Main Street, Norfolk
May 16, 2007	2:00 p.m.	York County Commissioners' Room Lower Level, 510 Lincoln Avenue, York
May 17, 2007	9:00 a.m.	City Council Chambers, City Hall 218 South 16th Street, Blair
May 17, 2007	12:00 noon	City Council Chambers, City Hall 122 East 3rd Street, Papillion

NATURAL GAS DEPARTMENT (Cont.)

NG-0044 In the Matter of the Joint Application of Aquila Inc., d/b/a Aquila Networks, Kansas City, Missouri; Black Hills Corporation, and Black Hills/Nebraska Gas Utility Company, LLC, both of Rapid City, South Dakota, seeking approval of the proposed transfer of Aquila's Certificate of Convenience and for a Change of Control of Aquila's Nebraska jurisdictional assets. Commissioner Landis presiding as Hearing Officer: Laura Demman reported that a Hearing Officer Order was entered April 20, 2007, scheduling a Planning Conference for May 9, 2007, at 1:30 p.m. CDT in the Commission Library, Lincoln.

NG-0046/ In the Matter of the Commission, on its own motion, seeking
PI-128 to investigate certain customer service issues and plans relating to SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc., Lakewood, Colorado. Commissioner Vap presiding as Hearing Officer: Laura Demman reported that a Hearing Officer Order was entered April 23, 2007, scheduling a workshop for May 22, 2007, at 1:30 p.m. CDT in the Commission Hearing Room, Lincoln.

P-0012.1 In the Matter of Aquila, Inc., d/b/a Aquila Networks, Omaha, providing notice required by *Neb. Rev. Stat.* Section 66-1863, as amended, that it intends to extend or enlarge its service area or extend a gas main: Laura Demman reported that a protest was filed on April 20, 2007, on behalf of Metropolitan Utilities District. Commissioner Landis was appointed hearing officer.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich explained the International Energy Conservation Code (IECC) testing error experienced by staff at last week's testing in Kearney. He informed the Commissioners that although the test was provided at no cost to us, the Commission will be reimbursed the testing fee and mileage, and eventually offered a re-test also at no cost to the Commission.

Mark Luttich described the department proposal on how to assure that the truck campers displayed at the Ogallala truck rally in July will be monitored to assure recreational vehicle sales will be to retailers only, not individuals.

Mark Luttich advised the Commission that he was approved for membership on the Manufactured Home Consensus Committee (MHCC).

MODF-1 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Modular Housing Program. Commission Rod Johnson presiding as Hearing Officer: Upon agreement of all Commissioners present, the hearing previously scheduled for May 23, 2007, was rescheduled to a date later to be determined.

TRANSPORTATION DEPARTMENT

B-1690 In the Matter of SDG Transportation, Inc., d/b/a Classic Limousine Service, Oakland, Iowa, seeking to acquire, through transfer, the certificate held by A & R Klassic Kars Limousine Service, LLC, in Certificate B-1599: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order denying the Motion for Rehearing and/or Reconsideration. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Rate Division

LR-279 In the Matter of Brown's Crew Car of Wyoming, d/b/a Armadillo Express, Cheyenne, Wyoming, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle 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 reduced to 70 cents per mile.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve the following Commission invoices. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

DAS - Communications	\$ 3,561.29
DAS - Materiel - Copy Services	2,307.66
DAS - Materiel - Printing	665.31
Larry Fauss	990.00
Mark Luttich	731.04
Rod Johnson	635.09
Gerald Vap	911.84

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Beltone	192.90
K-D Communications	982.85
Western ENT Associates	434.85
Weitbrecht Communications	680.40

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to ratify the Executive Director's execution of the Lease Agreement with Security National Properties. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, Commissioner Frank Landis present not voting, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to change the May 1, 2007 Commission meeting time from 10:00 a.m. to 9:00 a.m. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to authorize Tim Sandusky to travel to and attend the Track Discipline Workshop to be held in Fort Worth, Texas, from June 18-22, 2007 with expenses to be paid by the Federal Railroad Administration. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to authorize Gene Hand and Jeff Pursley to travel to and attend the National Association of Regulatory Utility Commissioners Summer Conference to be held in New York City, New York, from July 13-18, 2007. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to authorize Commissioners to travel to and attend the National Association of Regulatory Utility Commissioners Summer Conference to be held in New York City, New York, from July 14-18, 2007. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve surplus of inventory the following items. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Typing Desk
Metal Book Shelf
Grey 4-Drawer File Cabinets (2)
Grey 5-Drawer File Cabinets (6)

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to offer the Law Clerk Position. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

GRAIN WAREHOUSE DEPARTMENT

Motion made by Commissioner Jerry Vap, and seconded by Commissioner Tim Schram, to enter into closed session for the purpose of protecting the public interest and discussing a pending investigation without revealing to the investigated party the Commission's plans or strategy with respect to that investigation, to wit, the matter of GW-1871, involving Hergert Grain, Inc., Scottsbluff. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

After vote on the motion, Chairman Rod Johnson restated the limitation of the subject matter of the closed session, to wit, discussion of the investigation concerning Hergert Grain, Inc. The Commission went into closed session at 10:45 a.m.

During closed session, John Fecht reported on the Commission's investigation concerning Hergert Grain, Inc.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to return to open session. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting. The Commission returned to open session at 11:00 a.m.

GW-1871 In the Matter of Hergert Grain, Inc., Scottsbluff: John
GWC-420 Fecht reported and the Commissioners discussed loss insurance for grain in storage, issues regarding quantity of grain in storage and questions about liquidation. No action was taken. Mr. Fecht informed the Commission that a Hearing Officer's order was entered April 24, 2007, scheduling a video hearing for June 4, 2007, at 10:00 a.m. CDT in the Commission Library, Lincoln, and Panhandle Learning Center, High Plains Room, 4502 Avenue I, Scottsbluff.

The meeting adjourned at 11:08 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on May 1, 2007, at 9:00 a.m. with an agenda to be available in the office of the Executive Director at 9:00 a.m. on April 30, 2007.

Chairman

Executive Director