

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. Chairman Johnson invited the public to address the Commission. Chairman Johnson also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No comments were made.

GENERAL ADMINISTRATION

Notice was duly published May 8, 2007 on Page 10 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 15, 2007 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, May 15, 2007:

B-1689 Commission Hearing Room, Lincoln.
11:00 In the Matter of Karl Riggs, d/b/a Kountry Limousine Company, Bennington, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in limousine service between points in Douglas, Washington and Dodge counties and between points in said counties by luxury or stretch limousines. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Commissioner Johnson presiding as Hearing Officer.

DC-71/ Commission Library, Lincoln. Qwest Compliance Meeting
NUSF-53 In the Matter of Maurice Gene Hand, Director, Communications Department and Jeffrey L. Pursley, Director, Nebraska
2:00 Universal Service Fund Department, Complainants v. Qwest Corporation, Respondent.

Wednesday, May 16, 2007:

10:00 CDT Video Hearing. Commission Library, Lincoln and Panhandle
9:00 MDT Learning Center, High Plains Room, 4502 Avenue I, Scottsbluff. Schedule A and E Rates and Charges. Commissioner Schram presiding as Hearing Officer.

GENERAL ADMINISTRATION (Cont.)

Wednesday, May 16, 2007 (Cont.):

NG-0041 Town Hall Meetings.
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.

10:00 Madison County Board Room, 1313 North Main Street, Madison.
2:00 York County Commissioners' Room, Lower Level, 510 Lincoln Avenue, York.

Thursday, May 17, 2007:

NG-0041 Town Hall Meetings.
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.

9:00 City Council Chambers, City Hall, 218 South 16th Street, Blair
12:00 City Council Chambers, City Hall, 122 East 3rd Street, Papillion.

Monday, May 21, 2007:

911-023.50 Commission Hearing Room, Lincoln.
10:30 In the Matter of Harlan/Phelps Counties, Public Safety Answering Point, Holdrege, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Vap presiding as Hearing Officer.

Tuesday, May 22, 2007:

B-1680 Commission Library, Lincoln, and Nebraska State Office Building, Room 207, 2nd Floor, 1313 Farnam Street, Omaha.
9:00 In the Matter of the Sudanese National Community of Nebraska, Inc., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage between points in Douglas and Sarpy counties in open class service over irregular routes in open class service including clients of the Nebraska Department of Health and Human Services or subcontractors thereof. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Commissioner Boyle presiding as Hearing Officer.

GENERAL ADMINISTRATION (Cont.)

Tuesday, May 22, 2007 (Cont.):

- NG-0046/ Commission Hearing Room, Lincoln.
PI-128 In the Matter of the Commission, on its own motion, seeking
1:30 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.
- NG-0041 Commission Library, Lincoln. Workshop
3:00 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.

COMMUNICATIONS DEPARTMENT

Gene Hand introduced Gary Lucas, a current University of Nebraska at Kearney Telecommunications Management student who will intern at the Commission for three months.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the applications in Dockets AD-383r and AD-384r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AD-383r In the Matter of Southwest Credit Systems, L.P., Plano, Texas, seeking authority to register the connection of an automatic dialing-announcing device.

AD-384r In the Matter of Cavalry Portfolio Services, LLC, Hawthorne, New York, seeking authority to register the connection of an automatic dialing-announcing device.

C-3757/ In the Matter of the Commission, on its own motion, regarding
DC-74 the 2006 Annual Report Filings: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter a show cause order against defendants for failure to timely file an annual report pursuant to Neb. Rev. Stat. § 86-159 (2004 Cum. Supp). Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3789 In the Matter of Budget Phone, Inc., Bossier City, Louisiana, seeking a name change to Budget PrePay, Inc., d/b/a Budget Phone: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3790 In the Matter of Mobilitie, LLC, Newport Beach, California, seeking authority to provide competitive local exchange and interexchange telecommunication services in the State of Nebraska: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3554/ In the Matter of the Commission, on its own motion, seeking NUSF-50 to investigate whether the zones established in Docket C-2516 are appropriate in light of NUSF-26 findings and conclusions. Commissioner Landis presiding as Hearing Officer: A Hearing Officer's order was entered May 7, 2007, setting the deadline for post hearing briefs as May 29, 2007. This matter was discussed under the Nebraska Telecommunications Infrastructure & Public Safety department agenda.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving funding requests in part for Dockets 911-022.09 and 911-023.30. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-022.09 In the Matter of NE Colorado Cellular, Inc., d/b/a Viaero Wireless, Fort Morgan, Colorado, seeking approval of a request for funding of Enhanced Wireless 911 services.

911-023.30 In the Matter of Box Butte County, Public Safety Answering Point, Alliance, 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 II LEC costs for Dockets 911-023.01 and 911-023.03. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.01 In the Matter of Sarpy County, Papillion, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.03 In the Matter of Buffalo County, Kearney, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving funding requests for mapping software in Dockets 911-023.07, 911-023.21, 911-023.36, 911-023.51, 911-023.60 and 911-023.61. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.07 In the Matter of Cedar County, Public Safety Answering Point, Hartington, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

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

911-023.36 In the Matter of the City of Lincoln/Lancaster County, Lincoln, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.51 In the Matter of Dixon County, Public Safety Answering Point, Ponca, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.60 In the Matter of Rock County, Public Safety Answering Point, Bassett, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.61 In the Matter of Region 26, Public Safety Answering Point, Taylor, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.21 In the Matter of Boyd-Holt County Public Safety Answering Point, O'Neill, 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 a funding request for equipment costs. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.28 In the Matter of Clay County, Edgar, 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 a funding request for mapping software and reimbursement, in part, for equipment costs. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order approving funding requests for GIS data development in Dockets 911-023.60 and 911-023.61. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.60 In the Matter of Rock County, Public Safety Answering Point, Bassett, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.61 In the Matter of Region 26, Public Safety Answering Point, Taylor, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

NUSF-25/
PO #18 In the Matter of the Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of federal universal service support; and

NUSF-66 In the Matter of the Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of state universal service support. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter a joint-docket order requiring Nebraska Eligible Telecommunication Companies (NETCs) to file high-cost funding support information and to schedule a hearing for August 14, 2007 at 1:00 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Jeff Pursley discussed a Hearing Officer's order to be entered today extending the filing deadline of the high-cost funding data to June 15, 2007.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter orders dismissing the complaints in Dockets NUSF-37.88, NUSF-37.120, NUSF-37.121 and NUSF-37.122. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37.88 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Earthlink, Respondent.

NUSF-
37.120 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Action Communications, Inc., Respondent.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF- In the Matter of Jeffrey L. Pursley, Director, Nebraska
37.121 Telecommunications Infrastructure and Public Safety
Department, Complainant v. Andiamo Telecom, LLC,
Respondent.

NUSF- In the Matter of Jeffrey L. Pursley, Director, Nebraska
37.122 Telecommunications Infrastructure and Public Safety
Department, Complainant v. 1-800-Reconex, Inc.

NUSF-50/ In the Matter of the Commission, on its own motion, seeking
PO #3 to make adjustments to the universal service fund mechanism
C-3554 established in NUSF-26. Commissioner Landis presiding as
Hearing Officer: Jeff Pursley discussed the Hearing Offi-
cer's Order entered May 7, 2007, setting the deadline for post hearing
briefs as May 29, 2007.

Jeff Pursley reported on the late-filed Wireless E-911
Carrier Remittances: Motion made by Commissioner Tim Schram, seconded
by Commissioner Frank Landis, that a one-time waiver request be
granted to Helio, LLC, and a complaint be opened against Sagir, Inc.
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE.

Jeff Pursley reported on the late-filed NUSF Carrier Remit-
tances: Motion made by Commissioner Jerry Vap, seconded by Commis-
sioner Anne Boyle, to grant a one-time waiver to Helio, LLC and that
late fees be levied against USCOC of Greater Iowa, Inc., Telenational
Communications, Inc., and Movida Communications. Additionally, com-
plaints should be opened against Telrite Corporation; Sagir, Inc., CTC
Communications, Corporation; and 360 Networks, (USA), Inc. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram and Jerry Vap voting AYE.

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. Com-
missioner Landis presiding as Hearing Officer: Motion made by Commis-
sioner Frank Landis, seconded by Commissioner Tim Schram, to enter
assessment orders GDS-003 and HS-007. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

NG-0044 In the Matter 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: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter assessment order HS-001 and a planning conference order, granting interventions and establishing procedural schedule, and scheduling a technical and prehearing conference on September 5, 2007, at 1:30 p.m. in the Commission Library, Lincoln and a hearing on September 12, 2007, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1325 In the Matter of SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc., Retail, Lakewood, Colorado vs. Panhandle Feeders, Morrill, alleging proposed installation of duplicative and redundant natural gas facilities: Angela Melton discussed receipt of the filing on May 9, 2007. The Certificate of Service was mailed via certified mail on May 10, 2007, providing May 29, 2007, as the answer date.

P-0012.1 In the Matter of Aquila, Inc., d/b/a Aquila Networks,
P-0012.2 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. Commissioner Landis presiding as Hearing Officer: Angela Melton discussed the Hearing Officer's order entered May 10, 2007, granting an extension of time to May 18, 2007, for filing required documentation.

TRANSPORTATION DEPARTMENT

B-1680 In the Matter of the Sudanese National Community of Nebraska, Inc., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage between points in Douglas and Sarpy counties in open class service over irregular routes in open class service including clients of the Nebraska Department of Health and Human Services or subcontractors thereof. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Commissioner Landis was appointed Hearing Officer.

B-1697 In the Matter of R&F Hobbies, Inc., d/b/a Aquila Limo, Ravenna, seeking to acquire, through transfer, the certificate held by R&F Hobbies, Inc., Ravenna, in Certificate B-1441, Supplement 3: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

M-14195 In the Matter of Dudley's Moving & Storage Co., Inc., Ralston, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of household goods in vans between all points in the state of Nebraska over irregular routes: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

DR-0001 In the Matter of the Commission, on its own motion, seeking to enter a Petition for Declaratory Ruling of CUSA ES, LLC, d/b/a Express Shuttle, seeking a determination that the permit requirements of Neb. Rev. Stat. Sec. 75-309 do not apply to single state transportation performed under contract of railroad train crews within the state of Nebraska if the train crews are traveling as a part of a continuous interstate movement. Commissioner Landis presiding as Hearing Officer: Mark Breiner discussed the Hearing Officer's order entered May 11, 2007, continuing the oral argument previously scheduled for May 15, 2007, to May 23, 2007, at 11:00 a.m. in the Commission Hearing Room, Lincoln.

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 remained at 68 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-1871 In the Matter of Hergert Grain, Inc., Scottsbluff: John Fecht reported on the status of the Hergert Grain matter and Mr. Hergert's request for the Commission to grant Hergert Grain ownership of the oats in storage.

GW-1883 In the Matter of John A. Fecht, Director, Warehouse
GWC-419 Department, Complainant v. Salem Grain Co., Inc., Salem, Defendant: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order approving a stipulation and dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GW-1823 In the Matter of Farmers Union Cooperative Association of Cedar Bluff: John Fecht discussed the shortage of corn.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-022.09 In the Matter of NE Colorado Cellular, Inc., d/b/a Viaero Wireless, Fort Morgan, Colorado, seeking approval of a request for funding of Enhanced Wireless 911 services: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to reconsider the original vote. Motion passed with Commissioners Anne Boyle, Frank Landis, Rod Johnson, Tim Schram and Jerry Vap voting AYE.

911-022.09 In the Matter of NE Colorado Cellular, Inc., d/b/a Viaero Wireless, Fort Morgan, Colorado, seeking approval of a request for funding of Enhanced Wireless 911 services: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve funding of Enhanced Wireless 911 services. Motion passed with Commissioners Frank Landis, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation for approval of the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Ted Burkey	\$	6,930.00
Latimer Reporting		1,045.50
Thomson West		591.14

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation for approval of Commission Minutes for the month of April, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to authorize Commissioner Rod Johnson to travel to and attend the Mid-America Cable Conference to be held in Overland Park, Kansas, from September 11 through September 13, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Chairman Johnson recessed the Commission until 1:30 p.m. The Commission went into recess at 10:57 a.m.

The Commission reconvened at 1:33 p.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation for approval of the purchase of furniture for the office renovation, to wit: Commissioners' Office Furniture; Modular Furniture and Walls; and Chairs for: Enclosed Offices, Modular Offices, Break Room, and Commission Hearing Room, and Reupholster chairs in reception area and Commissioner's offices. Motion passed with Commissioners Anne Boyle, Rod Johnson and Jerry Vap voting AYE, and Commissioners Frank Landis and Tim Schram voting NAY.

The meeting adjourned at 1:44 p.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on Wednesday, May 23, 2007, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on Tuesday, May 24, 2007.

Chairman

Executive Director