

Chair Anne Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. Chair Boyle invited the public to address the Commission and also announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published March 4, 2008 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held March 11, 2008 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, March 11, 2008:

- 1:30 Commission Hearing Room, Lincoln.
Commissioner Jerry Vap presiding as Hearing Officer.
- 911-024.05 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Action Communications, Inc.
- 911-024.07 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Viaero Wireless.
- 911-024.15 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Great Plains GIS Partnership.

Wednesday, March 12, 2008:

- LR-285 Commission Hearing Room, Lincoln, and Northeast Community
10:00 College, Maclay Building, Room 122, 801 East Benjamin Avenue, Norfolk. In the Matter of Zalt, Inc., d/b/a Central Limousine Services, Grand Island, seeking authority to adjust its rates and charges. Commissioner Rod Johnson presiding as Hearing Officer.

Monday, March 17, 2008:

- C-3423 In the Matter of the request by 34 Nebraska rural Local
10:30 Exchange Carriers to revise the Commission's July 20, 2004 Order Granting Suspension of the Federal Communications Commission's (FCC) Requirement to Implement Wireline-Wireless Number Portability Pursuant to 47 U.S.C. 251(f)(2). Commissioner Jerry Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

AD-428 In the Matter of Pioneer Interstate Marketing, Omaha, seeking authority to register the connection of an automatic dialing-announcing device: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2110 In the Matter of Loup River Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to cancel the authority granted in Application E-2110 on May 2, 2006. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3423 In the Matter of the request by 34 Nebraska rural Local Exchange Carriers to revise the Commission's July 20, 2004, Order Granting Suspension of the Federal Communications Commission's Requirement to Implement Wireline-Wireless Number Portability Pursuant to 47 U.S.C. 251(f)(2). Commissioner Jerry Vap presiding as Hearing Officer: John Burvainis informed the Commission that a Hearing Officer's order was entered March 11, 2008, scheduling a hearing for March 17, 2008, at 10:30 a.m. in the Commission Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-033.01 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Sagir, Inc., Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-1 PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Sagir, Inc., d/b/a Indigo. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve a second audit extension to March 25, 2008, for the NUSF Remittance Worksheet audit, originally due on December 31, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1, PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Norstan Network Services d/b/a Netwolves Network Services. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve dismissing the carrier from the requirement of a 2006 NUSF Remittance Worksheet audit, originally due on December 31, 2007, due to Norstan's bankruptcy proceedings. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-1, PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to clarify the minute entry of January 29, 2008 to read: "To adopt the guideline that third-party examiners, for the purpose of the Nebraska USF Payment and Worksheet audits, cannot be the same third-party that prepares and files the worksheets on behalf of any Nebraska telecommunications carrier."

NUSF-32.07 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of various companies to comply with Commission Rules or Orders and to impose administrative fines. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order amending the Show Cause order of February 26, 2008, dismissing Telstra, Inc. from this proceeding and canceling in part, the hearing for May 13, 2008 at 1:30 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.

NUSF-37 .126 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Sagir, Inc., Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37 .149 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Airespring, Inc., Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Shana Knutson discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Landis, to levy a late-fee against Onstar Corporation and that Complaints be filed against Northstar Telecom, Inc., Helio, LLC and Galaxy Cable, 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. Commissioner Frank Landis presiding as Hearing Officer: A Hearing Officer's order was entered March 11, 2008, scheduling a hearing regarding Aquila's Refund Plan for April 15, 2008 at 1:00 p.m. in the Commission Hearing Room, 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 Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an Order Issuing Reporting Requirements. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1683 In the Matter of CUSA ES, LLC, dba Express Shuttle, Bis-Supp. 1, marck, North Dakota, seeking to extend its authority in Certificate B-1683 in the transportation of railroad train crews in open class by van over irregular routes between points in the state of Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order denying the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1688 In the Matter of Darin P. VanNatter, d/b/a Prestige Limo, Supp. 2 Sidney, seeking authority to transport passengers and their baggage in Nebraska intrastate commerce in limousines between points in Kimball, Deuel, Garden and Morrill counties, on the one hand, and on the other hand, points in Nebraska over irregular routes. All trips will originate and terminate in said counties. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 Goods Tariff 7F: The fuel surcharge was increased to \$1.08 per mile.

GENERAL ADMINISTRATION

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

Attorney General	\$	2,799.12
Thomson West		815.00
Voyager		1,184.13
Robert Bowman		567.27
Fred Massing		746.83
Kent Pribyl		586.48

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Commission minutes for the month of February 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve the 2008 Second Quarter Meeting Schedule as follows. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

April 1, 8, 15, 22, 30 (Wed)
May 6, 13, 20, 28 (Wed)
June 3, 10, 17, 24

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation for Tim Sandusky and Scott Elston to travel to and attend a Federal Railroad Administration safety seminar to be held in Ames, Iowa, on March 18-19, 2008, with meals, lodging and transportation expenses to be paid by the Public Service Commission. This seminar is being hosted by the Iowa Department of Transportation Office of Rail Transportation. There will be no registration fee. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter into closed session to discuss pending litigation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission entered into closed session at 10:25 a.m.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 11:06 a.m.

The meeting adjourned at 11:06 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on March 18, 2008, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 17, 2008.

Chair

Executive Director