

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. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published May 20, 2008 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 28, 2008 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Wednesday, May 28, 2008:

Rule and Commission Hearing Room, Lincoln.
Regulation In the Matter of the Commission, on its own motion, seeking
#167 to amend Title 291, Chapter 9, Natural Gas and Pipeline
1:30 Rules and Regulations, to adopt rules in accordance with
Nebraska Legislative Bill 1249 [2006] and to add rules
regarding meter errors, consumer choice programs, aggregators and suppliers and emergency curtailment plans.
Commissioner Johnson presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3922 In the Matter of McLeod USA Telecommunications Services, Inc., Hiawatha, Iowa, seeking to cease providing local exchange voice services in Nebraska wire centers: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting approval to discontinue providing local exchange switched voice services to certain residential and small business customers. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3923 In the Matter of Momentum Telecom, Inc., Birmingham, Alabama, seeking authority to operate as a local exchange carrier and interexchange carrier of telecommunications services within the State of Nebraska: 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.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders granting extensions for E-2121 and E-2122. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2121 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Stanton, Wayne and Cedar Counties.

E-2122 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Burt and Cuming Counties.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders granting applications E-2184, E-2187 and E-2189. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2184 In the Matter of Public Power Generation Agency, Hastings, seeking authority to construct, operate and maintain an electric transmission line in Adams County.

E-2187 In the Matter of Loup River Public Power District, Columbus seeking authority to construct, operate and maintain an electric transmission line in Platte County.

E-2189 In the Matter of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain electric transmission lines in Lancaster County.

C-3927 In the Matter of Geneva Broadband, LLC (GBB), Geneva, seeking an arbitration of the negotiation of an Interconnection Agreement with Windstream Nebraska, Inc., Lincoln. Commissioner Rod Johnson presided as hearing officer: Gene Hand informed the Commission that a Hearing Officer order was issued May 20, 2008, staying the proceeding.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter orders granting funding for equipment in applications 911-023.22 and 911-023.34. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.22 In the Matter of Jefferson County, Public Safety Answering Point, Fairbury, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-023.34 In the Matter of Nemaha County, Public Safety Answering Point, Auburn, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation.

911-023.66 In the Matter of Frontier County, Public Safety Answering Point, Curtis, 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 granting Phase I funding. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

911-036/ PI-136 In the Matter of the Commission, on its own motion, seeking to investigate and establish procedures for the designation of public safety answering points, for the receipt and dispatch of wireless 911 service calls from counties without enhanced 911 service: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order opening the docket and seeking comments due June 30, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 effective fiscal year beginning July 1, 1999: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order retaining the surcharge rate at 6.95% for FY 2008/2009. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis to enter an order dismissing the complaints in Dockets NUSF 37.154 and 37.156. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37.154 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Nebraska Public Service Commission, Complainant, v. Budget Call Long Distance, Inc., Respondent:

NUSF-37.156 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Nebraska Public Service Commission, Complainant, v. Global Crossing Telecommunications, Inc., Respondent:

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 Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order establishing a refund plan. 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 Tim Schram, to enter assessment orders in Dockets applications NG-0041 and NG-0053. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks
HS-0025 (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.

NG-0053 In the Matter of Nebraska Resources Company, LLC, Tulsa,
HS-004 Oklahoma, seeking a Certificate of Public Convenience and Necessity authorizing it to operate as a jurisdictional utility in Nebraska and approval of tariff. Commissioner Landis presiding as Hearing Officer.

FC-1331 In the Matter of Kinder Morgan Interstate Gas Transmission LLC, Lakewood, Colorado, vs. Aquila, Inc., Omaha, and Nebraska Resources Company, Tulsa, Oklahoma, alleging violations of the State Natural Gas Regulation Act: Laura Demman informed the Commission that the answer date for the formal complaint filed May 20, 2008, is June 16, 2008.

TRANSPORTATION DEPARTMENT

B-1711 In the Matter of Trease Enterprises, Inc., d/b/a Special Moments Limousine, Clearwater, seeking authority in Nebraska intrastate commerce in the transportation of passengers and their baggage by bus in charter and special party services in the state of Nebraska over irregular routes. Commissioner Johnson presiding as Hearing Officer. Upon agreement of all Commissioners, the hearing previously scheduled for May 14, 2008, was continued to a date later to be determined.

B-1723 In the Matter of Brown's Crew Car of Wyoming, LLC, Omaha, seeking to acquire, through transfer, the authority granted to Brown's Crew Car of Wyoming, Inc. in Certificate B-1144: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting temporary authority. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

FC-1329 In the Matter of Dwaine and Debra Trease, d/b/a Special Moments Limousine and Trease Enterprises, d/b/a Special Moments Limousine, Clearwater, vs. Zalt, Inc., d/b/a Central Limousine, Grand Island. Commissioner Johnson presiding as Hearing Officer: Upon agreement of all Commissioners, the hearing previously scheduled for May 14, 2008, was continued to a date later to be determined.

Rate Division

LR-289 In the Matter of Luxury Limousine & Trolley Service, Syracuse, 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 Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TR-163 In the Matter of Happy Cab, Yellow Cab, and Checker Cab, Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Tim Schram voting AYE.

TR-164 In the Matter of Servant Cab, LLC, Lincoln, seeking authority to adjust its rates and charges: Upon agreement of all Commissioners, a hearing was scheduled for June 26, 2008, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Landis was appointed as Hearing Officer.

TR-165 In the Matter of Action Taxi & Limo, South Sioux City, 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 on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MR-1009/
PI-70 In the Matter of the Commission, on its own motion, initiating an investigation on range uniformity in the Official Intracity Household Goods Tariff 22, and to develop procedures for efficiently processing household goods mover tariff amendments: Upon agreement of all Commissioners, a hearing was scheduled for June 4, 2008, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Rod Johnson was appointed as Hearing Officer.

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 \$1.42 per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-1599/ In the Matter of Alvo Grain and Feed, Inc., Alvo and
GD-1599 Ashland: John Fecht updated the Commission on the status
of this docket.

GW-1883 In the Matter of Salem Grain Co., Inc., Salem, seeking a
measure-up of grain its facilities: Motion made by Commis-
sioner Frank Landis, seconded by Commissioner Jerry Vap, to perform a
measure-up with necessary fees to paid by applicant. Motion passed
with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram
and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

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

AS Central Finance - Communications	\$	3,126.67
Larry Fauss		990.00
Frank Landis		35.36

Motion made by Commissioner Frank Landis, seconded by Com-
missioner Tim Schram, to approve the Executive Director's recommenda-
ation for Don Gray to travel to and attend the ATIS Industry Numbering
Committee (INC) quarterly meeting to be held in Overland Park, Kansas
from June 23 through 26, 2008. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commis-
sioner Rod Johnson, to approve the Executive Director's recommendation
of the third quarter 2008, meeting dates. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE. The dates are as follows:

July 1 (9:00a.m.), 15, and 29, 2008
August 5, 12, 19 and 26, 2008
September 9, 16, 23 and 30, 2008
There will be no meetings held in July 8, July 22 or
September 2, 2008.

Motion made by Commissioner Jerry Vap, seconded by Commis-
sioner Frank Landis, to enter into closed session to discuss personnel
issues. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission
entered into closed session at 10:33 a.m.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to accept the resignation of Grain Warehouse Examiner Greg Klingsporn effective June 1, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve a General Administration employee's request for tuition assistance. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, 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 10:57 a.m.

The meeting adjourned at 11:01 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 June 3, 2008, at 9:00 a.m. with an agenda to be available in the office of the Executive Director at 9:00 a.m. on June 2, 2008.

Chair

Executive Director