

Chairman Frank Landis 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. Chairman Landis 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 December 31, 2009 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 5, 2010 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to elect Commissioner Jerry Vap as Chairman. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to elect Commissioner Tim Schram as Vice-Chairman. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Attention was called to the following proceedings:

#### Wednesday, January 6, 2010

C-4145/ Commission Hearing Room, Lincoln. In the Matter of the  
NUSF-74/ Nebraska Public Service Commission, on its own motion, to  
PI-147 conduct an investigation on intrastate switched access  
1:30 charge policies and regulation codified in Neb. Rev. Stat.  
Section 86-140. Commissioner Frank Landis presiding as  
Hearing Officer.

#### Monday, January 11, 2010

10:00 Commission Hearing Room, Lincoln. Wireless E-911 Advisory  
Board Meeting.

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in December 2009. She reported that there were a total of 55 complaints: 31 - wireline and 24 - wireless. The complaints were categorized as follows: 35 billing, 10 service and 10 miscellaneous issues.

COMMUNICATIONS DEPARTMENT (Cont.)

AD-488r In the Matter of the Application of Dialing Services, LLC, Roswell, New Mexico, seeking authority to register the connection of an automatic dialing-announcing device in Phoenix, Arizona: Motion made by Commissioner Tim Schram, 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-4227 In the Matter of the Application of Broadview Networks, Inc., Rye Brook, New York, seeking authority to operate as a local exchange carrier of telecommunications services within the State of Nebraska: Motion made by Commissioner Anne Boyle, 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.

C-4229 In the Matter of the Application of IntelePeer, Inc., San Mateo, California, seeking authority for a Certificate of Public Convenience and Necessity to provide facilities-based and re-sold local, access and interexchange telecommunications services in the State of Nebraska: Motion made by Commissioner Tim Schram, 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-023.36 In the Matter of Lincoln/Lancaster County, PSAP, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order approving amended costs. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-1, In the Matter of the Nebraska Public Service Commission, on P.O. #7 its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund. Broadwing, fka CIII Communications, and Telebeep: Sue Vanicek discussed the deviation of remittance audit procedure language. Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to accept the third-party audit as submitted. 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 Anne Boyle, seconded by Commissioner Tim Schram, to grant Broadwing Communications request for an extension until January 15, 2010, and Network Innovation's request for an extension until January 29, 2010, to complete NUSF worksheet audits, due December 31, 2009. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-1, In the Matter of the Nebraska Public Service Commission, on  
P.O. #7 its own motion, seeking to establish guidelines for admin-  
istration of the Nebraska Universal Service Fund: Broadwing  
Communications LLC fka CIII Communications.

NUSF-1, In the Matter of the Nebraska Public Service Commission, on  
P.O. #7 its own motion, seeking to establish guidelines for admin-  
istration of the Nebraska Universal Service Fund: Network  
Innovations.

NUSF-69 In the Matter of the Nebraska Public Service Commission, on  
its own motion, seeking to implement policies and proce-  
dures related to providing dedicated universal service support for wire-  
less telecommunications services: N.E. Colorado Cellular, Inc., d/b/a  
Viaero Wireless: Commissioner Landis presiding as Hearing Officer:  
Motion made by Commissioner Frank Landis, seconded by Commissioner Anne  
Boyle, to enter an order approving reimbursement for tower construction  
by Viaero in Lynch, Nebraska. Motion passed with Commissioners Anne  
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0057 In the Matter of gas supply cost adjustment schedules imple-  
mented by SourceGas Distribution LLC, Lakewood, Colorado,  
pursuant to *Neb. Rev. Stat. sec. 66-1854*. Commissioner Vap presiding as  
Hearing Officer: Motion made by Commissioner Frank Landis, seconded by  
Commissioner Tim Schram, to enter an order requesting comments regarding  
initial findings and scheduling a hearing for February 10, 2010, at 1:30  
p.m. CST in the Commission Hearing Room, Lincoln. Motion passed with  
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and  
Jerry Vap voting AYE. Laura Demman discussed the report filed by GDS  
Associates, Inc. to the Nebraska Public Service Commission on January 5,  
2010 regarding Docket NG-0057 Gas Supply Cost Adjustment Schedules.

Motion made by Commissioner Anne Boyle, seconded by Commis-  
sioner Jerry Vap to enter Assessment Orders in Dockets NG-0057 and  
NG-0060. Motion passed with Commissioners Anne Boyle, Rod Johnson,  
Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

NG-0057      In the Matter of gas supply cost adjustment schedules imple-  
GDS-008      mented by SourceGas Distribution LLC, Lakewood, Colorado,  
pursuant to *Neb. Rev. Stat. sec. 66-1854*. Commissioner Vap  
presiding as Hearing Officer.

NG-0060      In the Matter of SourceGas Distribution LLC, Lakewood, Color-  
GDS-004      ado, seeking approval of a general rate increase. Commis-  
sioner Rod Johnson presiding as Hearing Officer.

NG-0060      In the Matter of SourceGas Distribution LLC, Lakewood,  
Colorado, seeking approval of a general rate increase. Com-  
missioner Rod Johnson presiding as Hearing Officer: Laura Demman dis-  
cussed orders entered by the Hearing Officer on December 22, 2009,  
sustaining objections to exhibits, and January 5, 2010, extending the  
brief date until January 11, 2010.

Laura Demman reported a total number of 62 consumer com-  
plaints and inquiries received at the Commission during December. For  
each company: Black Hills - 22; SourceGas - 38; and Other Entities - 2.

TRANSPORTATION DEPARTMENT

B-1742      In the Matter of Grace Transport Services, Inc., seeking  
authority as a common carrier in Nebraska intrastate commerce  
in the transportation of passengers and their baggage by van in open  
class service between points in Madison County. HHS Designation: Yes.  
RESTRICTION: The transportation of railroad train crews and their bag-  
gage is not authorized: Motion made by Commissioner Rod Johnson,  
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.

MCC-3164      In the Matter of Mark Breiner, Director, Motor Transpor-  
tation Department, Nebraska Public Service Commission, vs.  
Mike's Moving, Omaha: A hearing was scheduled for January 20, 2010, at  
11:30 a.m. in the Commission Hearing Room, Lincoln. Commissioner Anne  
Boyle was appointed as Hearing Officer.

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 and  
Tariff 22: The Tariff 7F fuel surcharge was increased to \$.64 per mile  
and the Tariff 22 fuel surcharge to \$2.96 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, 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.

OCIO-Network Service Charges	\$	3,186.11
GDS		3,750.00
Harding Shultz		10,000.00
Harding Shultz		1,943.55
Anne Boyle		792.00
Tim Schram		411.40

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

B Hear	\$	7,172.75
Beltone		2,701.70
Grand Island Hearing Aid Center		2,268.00
League of Human Dignity		274.95
Carl A. Johnson Jr.		103.90
Professional Hearing Aid Services		1,029.65
Sherard Hearing Aid Center		1,531.69
Teltex Inc.		392.62
The Hearing Clinic Inc.		1,350.00
Weitbrecht Communications		10,413.05
Western ENT Associates		205.00

The following invoices were paid between December 22, 2009 and January 4, 2010 and should be ratified:

Sprint	61,828.24
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Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Commission minutes for December. 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 approve the Executive Director's recommendation to approve GDS Associates Hourly Fee Schedule effective January 1, 2010 through December 31, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to authorize Commissioner Anne Boyle to travel to and attend the Universal Service Administration Company (USAC) Quarterly Meetings to be held in Washington, DC in January, April, July and October, 2010 with all expenses to be paid by USAC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:31 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 January 12, 2010, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 11, 2010.

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Chairman

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Executive Director