

Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Rod Johnson excused. Chairman Vap 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 April 6, 2010 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held April 13, 2010 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

C-4240 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the statewide Telecommunications Relay System (TRS) to be effective July 1, 2010, in the State of Nebraska. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter a Nunc Pro Tunc order. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter orders granting applications C-4250, C-4252 and C-4253. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-4250 In the Matter of the Commission, on its own motion, seeking comment on the request by United Way of the Midlands to be assigned the use of "211" in Custer, Pawnee, Banner, Kimball and Morrill Counties, for access to First Call for Help (FCFH), a comprehensive information and referral service.

C-4253 In the Matter of the Commission, on its own motion, seeking comment on the request by United Way of the Midlands to be assigned the use of "211" in Arthur, Grant and Perkins Counties, for access to First Call for Help (FCFH), a comprehensive information and referral service.

C-4252 In the Matter of the Application of Value-Added Communications, Inc., Plano, Texas, seeking authority to operate as an interexchange carrier and an operator service provider of telecommunication services within the State of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4255 In the Matter of the Application of Southeast Nebraska Communications, Inc., Falls City, seeking approval of an Interconnection and Reciprocal Compensation Agreement with Time Warner Cable Information Services (Nebraska), LLC, New York, New York: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

E-2185 In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Platte and Boone Counties: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting an extension to October 13, 2010, to complete construction in Platte and Boone counties. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

E-2245 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-4239 In the Matter of Hemingford Cooperative Telephone Company, Hemingford, Local Rate Increase. Gene Hand informed the Commission that as of April 9, 2010, the number of petition signatures necessary to initiate a review of the proposed rate increase was not met, therefore Hemingford Cooperative Telephone Company was notified by letter on April 12, 2010, to implement the rate increase as proposed.

C-3554/ In the Matter of the Commission, on its own motion, seeking
NUSF-50 to investigate whether the zones established in Docket
PI-112 C-2516 are appropriate in light of NUSF-26 findings and conclusions. Commissioners Jerry Vap and Frank Landis presiding as Hearing Officers: Gene Hand informed the Commission that an order was entered April 12, 2010 scheduling a workshop for May 3, 2010, at 2:00 p.m. CST in the Commission Hearing Room, Lincoln.

Gene Hand reported on the Broadband Mapping/Planning Grant meetings held April 12, 2010, in the Commission offices.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-007 In the Matter of the Commission, on its own motion, to provide for and fund intertandem trunking across the State of Nebraska for use in provision of wireless enhanced 911 service: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-019/
PI-118 In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of the LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service. Commissioner Anne Boyle presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter a Nunc Pro Tunc order. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-021/
PI-120 In the Matter of the Commission, on its own motion, seeking to investigate issues related to intertandem trunking across the State of Nebraska for use in the provision of wireless enhanced 911 service: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-023.73 In the Matter of Dundy County, Benkelman, 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 funding. Motion passed with Commissioners Frank Landis, Tim Schram and Jerry Vap voting AYE, Commissioner Anne Boyle voting NAY, and Commissioner Rod Johnson excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter orders 911-024.30 granting additional access and 911-024.38 granting access. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

911-024.30 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Emergency Communications Network.

911-024.38 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Columbus Police Department.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-044 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for intertandem trunking for the provision of Enhanced Wireless 911 service: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

NUSF-50/ In the Matter of the Nebraska Public Service Commission, on C-3554/ its own motion, to make adjustments to the universal service fund mechanism established in NUSF-26. Commissioner PI-112 Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer's Order entered on April 12, 2010 scheduling an implementation workshop on May 3, 2010 at 2:00 p.m. in the Commission Hearing Room, Lincoln.

NATURAL GAS DEPARTMENT

NG-0061 In the Matter of Black Hills/Nebraska Gas Utility Company, HS-004 LLC, d/b/a Black Hills Energy, Omaha, seeking a General Rate Increase for Black Hills Energy's Rate Areas One, Two and Three (Consolidated). Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter Assessment Order HS-004. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Laura Demman discussed current Gas Cost Adjustment rates for jurisdictional utilities.

Laura Demman reported a total number of 33 consumer complaints and inquiries received at the Commission during March. For each company: Black Hills - 10; SourceGas - 18; and Other Entities - 5.

RULES AND REGULATION

Rule and Regulation #173 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 9, Natural Gas and Pipeline Rules and Regulations, to adopt rules regarding General Rate Filings, Rate Principles, High Volume, Agriculture and Interruptible Ratepayers; Jurisdictional Utilities; Consumer Choice Program; Gas Supply Cost Adjustments; Seasonal Disconnections; Tariff Changes; and the Public Advocate: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order opening the docket, releasing first set of proposed rules and seeking comment. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting. Commissioner Frank Landis was appointed as Hearing Officer.

LEGISLATIVE REPORT

Angela Melton discussed 2010 legislative issues.

TRANSPORTATION DEPARTMENT

PI-159 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking an investigation the necessity of Public Service Commission certification for contractors with the Division of Children and Family Services for the Child Welfare and Juvenile Services System Program: The Commission approved sending a letter seeking an Attorney General's Opinion on issues involved in the investigation.

Rate Division

BR-357 In the Matter of Grace Transportation Services, Inc., Norfolk, seeking authority to set 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, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

TR-177 In the Matter of Fremont Cab Services, LLC, Fremont, 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 Frank Landis, Tim Schram and Jerry Vap voting AYE, Commissioner Anne Boyle voting NAY, and Commissioner Rod Johnson 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 Goods Tariff 7F and Tariff 22: The Tariff 7F fuel surcharge was increased to \$.78 per mile and the Tariff 22 fuel surcharge to \$4.32 per truck per trip.

GENERAL ADMINISTRATION

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

The Daily Record	\$ 536.80
Voyager	2,227.46
West	898.54

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to authorize Gene Hand to travel to and attend a meeting of the Regional Oversight Committee to be held in Denver, Colorado from April 21-23, 2010. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to surplus a 1998 Chevy Venture van, plate 9255 (Grain Warehouse Department) and computers. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to purchase a 2010 Ford Escape. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

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

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to authorize Angela Melton to travel to and attend the New Mexico State University's Center for Public Utilities and The National Association of Regulatory Utility Commissioners Basic Training Conference: Practical Training for the Electric Industry and Natural Gas Distribution Industry to be held in Albuquerque, New Mexico from May 9-14, 2010. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

CI 10-1233 SourceGas Distribution, LLC, Petitioners vs. The Nebraska Public Advocate and The Nebraska Public Service Commission, Respondents: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Attorney General's Office filing a Motion for Remand on behalf of the Commission. Motion passed with Commissioners Anne Boyle, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GENERAL ADMINISTRATION (Cont.)

The meeting adjourned at 10:47 a.m. with Commissioners Anne Boyle, Frank Landis, Tim Schram and Gerald Vap present and Commissioner Rod Johnson excused. The next regularly scheduled meeting will be held on April 20, 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 April 19, 2010.

Chairman

Executive Director