

Chairman Gerald Vap 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 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 September 14, 2010 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 21, 2010 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N S Street, Lincoln.

Attention was called to the following proceedings:

#### Tuesday, September 21, 2010

C-4280      Commission Hearing Room, Lincoln. In the Matter of the  
1:00      Application of Qwest Communications International, Inc.,  
            Denver, Colorado, and CenturyLink, Inc., Vancouver, Wash-  
            ington, seeking approval of the indirect transfer of con-  
            trol of Qwest Corporation, Qwest Communications Company,  
            LLC, and Qwest LD Corp. Commissioner Frank Landis pre-  
            siding as Hearing Officer.

#### Thursday, September 23, 2010

10:00      Commission Hearing Room, Lincoln. Commissioner Tim Schram  
            presiding as Hearing Officer.

RVF-4      In the Matter of the Commission, on its own motion, seeking  
            to determine the fees for the Recreational Vehicle Program.

MODF-4     In the Matter of the Commission, on its own motion, seeking  
            to determine the seal fee amount for the Modular Housing  
            Program.

MANF-3     In the Matter of the Commission, on its own motion, seeking  
            to determine the seal fee amount for the Manufactured Home  
            Program.

#### Monday, September 27, 2010

PI-159      Commission Hearing Room, Lincoln. Workshop. In the Matter  
10:00      of the Nebraska Public Service Commission, on its own  
            motion, seeking an investigation into the necessity of  
            Public Service Commission certification for contractors  
            with Division of Children and Family Services for the  
            Child Welfare and Juvenile Services System Program.

COMMUNICATIONS DEPARTMENT

E-2261 In the Matter of the Application of Loup River Public 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 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-4280 In the Matter of the Application of Qwest Communications International, Inc., Denver, Colorado, and CenturyLink, Inc., Vancouver, Washington, seeking approval of indirect transfer of control of Qwest Corporation, Qwest Communications Company, LLC, and Qwest LD Corp. Commissioner Frank Landis presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's Order was entered September 14, 2010, granting a motion to admit a non-resident attorney.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-002 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund: Commissioner Rod Johnson appointed as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order scheduling a hearing for November 23, 2010 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. Commissioner Rod Johnson was appointed as Hearing Officer.

911-019 In the Matter of the Nebraska Public Service Commission, on PI-118 its own motion, to implement provisions of LB 1222 [2006] P.O. #2 and to establish a permanent funding mechanism for wireless enhanced 911 service: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to amend the funding mechanism. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-030.38 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Virgin Mobile USA, LP, Respondent: Motion made by Commissioner Anne Boyle, 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.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1        In the Matter of the Nebraska Public Service Commission, on  
P.O. #7       its own motion, seeking to establish guidelines for admini-  
                 stration of the Nebraska Universal Service Fund. Arapahoe  
Cable TV:     Sue Vanicek discussed the deviation of remittance audit  
                 procedure language. Motion made by Commissioner Frank Landis, seconded  
                 by Commissioner Rod Johnson, to accept the Agreed Upon Procedures as  
                 presented. 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 Com-  
                 missioner Rod Johnson, to enter an order certifying federal and state  
                 support for its intended purpose. Motion passed with Commissioners  
                 Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting  
                 AYE.

NUSF-25       In the Matter of the Nebraska Public Service Commission, on  
P.O. #23       its own motion, seeking to establish guidelines for the  
                 purpose of certifying the use of federal universal service  
                 support.

NUSF-66       In the Matter of the Nebraska Public Service Commission, on  
                 its own motion, seeking to establish guidelines for the  
                 purpose of certifying the use of state universal service  
                 support.

NATURAL GAS DEPARTMENT

NG-0061/  
HS-0021       In the Matter of Black Hills/Nebraska Gas Utility Company,  
                 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 Hear-  
                 ing Officer: Motion made by Commissioner Tim Schram, seconded by Com-  
                 missioner Rod Johnson, to enter Assessment Order HS-0021. Motion  
                 passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim  
                 Schram and Jerry Vap voting AYE. Laura Demman discussed the Public  
                 Advocate's Petition for Review of Administrative Decision filed  
                 September 16, 2010.

TRANSPORTATION DEPARTMENT

Rate Division

BR-366        In the Matter of Caring People Sudan, Omaha, seeking auth-  
                 ority to adjust its rates and charges: Motion made by Com-  
                 missioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an  
                 order granting the application as amended. Motion passed with Commis-  
                 sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry  
                 Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

BR-373 In the Matter of Rosa's Plaza, Schuyler, seeking authority to set its rates and charges: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order Nunc Pro Tunc. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TR-171 In the Matter of Happy Cab, et.al., Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter orders granting the applications in part and denying the applications in part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TR-175 In the Matter of Happy Cab, et.al., Omaha, seeking authority to adjust its rates and charges:

TR-176 In the Matter of Happy Cab, et.al., Omaha, seeking authority to adjust its rates and charges:

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 retained at \$.72 per mile and the Tariff 22 fuel surcharge was increased to \$3.76 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-279 In the Matter of Farmers Cooperative, Plymouth: John Fecht discussed the shortage of milo.

GW-1154 In the Matter of Cooperative Producers, Inc., Hastings: John Fecht discussed the shortage of oats.

GW-2113 In the Matter of Aurora Cooperative Elevator Company, Aurora, seeking cancellation of its Grain Warehouse License: John Fecht informed the Commission that the license was cancelled effective August 18, 2010.

Commissioner Frank Landis left the Commission Hearing Room.

GENERAL ADMINISTRATION

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

AS Central Services-Office Supplies	\$	679.40
University of Nebraska-BBR		9,424.25
Sprint Relay		59,930.30
Voyager		2,099.95
Gerald Vap		940.00

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Associated Hearing Health Care	\$	523.30
B Hear		3,011.90
Beltone		663.75
DynaVox Systems		2,000.00
Glassman's Hearing Aid Service		169.95
Grand Island Hearing Aid Center		1,030.50
Hearing Aid Center of Columbus		119.95
Carl A. Johnson Jr.		266.90
Professional Hearing Aid Services		549.23
Sherard Hearing Aid Center		406.85
Teltex		3,376.28
The Hearing Clinic		810.00
Weitbrecht Communications		576.40

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to authorize Commissioner Rod Johnson to travel to and attend the National Association of Water Companies (NAWC) 5th Annual National Drinking Water Symposium to be held in Tucson, Arizona from October 10-13, 2010, with some expenses to be paid with an \$800.00 stipend. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Don Gray to travel to and attend a meeting of the North American Numbering Council to be held in Washington, DC, on October 21-22, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to authorize Commissioners Boyle, Johnson, Landis and Schram to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Annual Conference to be held in Atlanta, Georgia from November 13-17, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to authorize Gene Hand, Laura Demman, Sue Vanicek to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Annual Conference to be held in Atlanta, Georgia from November 12-17, 2010. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Request for Proposals for Commission natural gas consultants. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

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The meeting adjourned at 10:35 a.m. with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Gerald Vap present and Commissioner Frank Landis excused. The next regularly scheduled meeting will be held on September 28, 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 September 27, 2010.

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Chairman

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Executive Director