

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 November 23, 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 November 30, 2010 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, November 30, 2010

Rule and Commission Hearing Room, Lincoln. In the Matter of the Regulation Commission, on its own motion, seeking to amend Title 291, #174 Chapter 13, Modular Housing Unit Construction Rules and Regulations, to adopt the 2009 edition of applicable code books and update related provisions, update definitional sections, add rules regarding alternating tread devices, update procedures regarding seal issuance, inspections, and plan review, general language clean up, and delete certain forms. Commissioner Tim Schram presiding as Hearing Officer.
1:30

Wednesday, December 1, 2010

911-049/ Commission Hearing Room, Lincoln. Workshop. In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the affect of statewide pre-paid wireless subscriber counts on local exchange carrier payments for enhanced wireless 911 service under the permanent funding mechanism and quarterly reporting requirements. Commissioner Jerry Vap presiding as Hearing Officer.
PI-174
10:00

Monday, December 6, 2010

911-045/ Commission Hearing Room, Lincoln and via video at Northeast PI-166 Community College, Maclay Building, Room 167A, 801 East Benjamin Avenue, Norfolk; Educational Service Unit #16, 10:00 CST Distance Learning Room, 1221 West 17th Street, North Platte; 9:00 MT Panhandle Research & Extension Center, High Plains Room, 4502 Avenue I, Scottsbluff; and Cherry County Extension Office, 132 South Hall Street, Valentine.

GENERAL ADMINISTRATION (Cont.)

911-045/
PI-166 In the Matter of the Commission, on its own motion, seeking to investigate the requirements, costs and impact of the implementation of Next Generation 911 in Nebraska relating to the provision of Enhanced Wireless 911 Service. Commissioner Jerry Vap presiding as Hearing Officer.

911-002
1:30 Commission Hearing Room, Lincoln. In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund. Commissioner Jerry Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4310 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Overland Park, Kansas, seeking interconnection, collocation and resale agreement with 360-networks (USA)inc., Broomfield, Colorado: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand reported that on November 24, 2010, the National Telecommunications and Information Administration (NTIA) provided detailed project plan guidance to aide each grant recipient in fulfilling the requirements of the Special Award Condition. The deadline for submitting the detailed project plan was extended to February 24, 2011. A webinar will be held on December 1, 2010, to answer any questions concerning the guidance provided.

The Public Service Commission staff and Apex will host a webinar at 11:30 a.m. on November 30, 2010, explaining how to use the staff developed Data Input Model for submitting future broadband data.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-050 In the Matter of the First Petition of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless, for support from the E-911 Wireless Service Provider (WSP) Grant Program: Sue Vanicek discussed the Hearing Officer's Order entered November 23, 2010, requesting pre-filed testimony due December 21, 2010 and, scheduling a hearing for January 18, 2011 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NUSF-50 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to make adjustments to the universal service fund mechanism established in NUSF-26: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order authorizing payments. 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-61.03 In the Matter of the Nebraska Public Service Commission, seeking to review traffic studies, to determine the appropriate percentage of assessable revenue subject to the Nebraska Universal Service Fund: United States Cellular Corporation's (U.S. Cellular) request for approval of traffic study: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an order approving traffic study. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek discussed NUSF Late-Filed Carrier remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to levy late fees against Consumer Cellular, Inc. and Hamilton Telephone Company. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0061 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 Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving a Refund Plan. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

Commissioner Frank Landis left the Commission Hearing Room.

B-1777 In the Matter of Millenium Services, LLC, Omaha, seeking to acquire, through transfer, the certificate held by Visinet, Inc., Omaha, in Certificate B-1474: Upon agreement of all Commissioners, a hearing was scheduled for February 2, 2011, at 9:30 a.m. in the Commission Hearing Room, Lincoln. Commissioner Anne Boyle was appointed Hearing Officer.

Commissioner Frank Landis entered the Commission Hearing Room.

Rate Division

LR-318 In the Matter of Your Own Limousine, Kearney, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, 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.

TRANSPORTATION DEPARTMENT (Cont.)

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 \$.82 per mile and the Tariff 22 fuel surcharge at \$4.72 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, 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.

AS Central Services-Network Services	\$ 3,277.80
Tim Schram	663.00
Gerald Vap	940.00

Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, 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 December 15-16, 2010. 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 Anne Boyle, to approve Commission meeting dates for 2011. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:25 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 December 7, 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 December 6, 2010.

Chair man

Executive Director