

Chairman Tim Schram 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 Schram invited the public to address the Commission and announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. Chairman Schram also informed the public that the Commission will be closed on November 11, 2011 in observance of Veteran's Day and that there will be no Commission meeting the week of November 14, 2011. The next Commission meeting will be held November 21, 2011.

#### GENERAL ADMINISTRATION

Notice was duly published November 1, 2011 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on November 8, 2011 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, November 9, 2011:

B-1799 Commission Hearing Room, Lincoln.  
10:00 In the Matter of the Application of Tailored Dreams Limousine and Sedan Service, Lincoln, seeking authority as a common carrier in Nebraska intrastate transportation in the transportation of passengers in limousine service by luxury or stretch limousine, sedans, and SUVs within a 150 mile radius of Lincoln and between points within such radius, on the one hand, and, on the other hand, points in Nebraska over irregular routes. Commissioner Frank Landis presiding as Hearing Officer.

#### COMMUNICATIONS DEPARTMENT

C-4410 In the Matter of the Joint Application of DSLnet Communications, LLC, Wallingford, Connecticut, and DIECA Communications, Inc., San Jose, California, seeking authority to complete certain Pro Forma Intra-Corporate transactions: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, 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-4411 In the Matter of the Application of Cox Nebraska Telcom, LLC, Omaha, seeking approval to transfer parental control from CoxCom, Inc. to CoxCom, LLC: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, 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.)

Gene Hand discussed the draft Federal Communications Commission (FCC) call termination letter: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to send the draft call termination letter to the FCC allowing time for other National Association of Regulatory Utility Commissioners (NARUC) members to co-sign the letter prior to sending. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

C-4412 In the Matter of the Application of Qwest Corporation, Denver, Colorado, seeking approval of Wireless Interconnection Agreement with 365 Wireless, LLC, Atlanta, Georgia: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

E-2298 In the Matter of the Application of Tri-State Generation and Transmission Association, Westminster, Colorado, seeking authority to rebuild, operate, and maintain an electric transmission line in Keith County: Motion made by Commissioner Jerry Vap, 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.

Gene Hand reported on the October 2011 numbering forecast and updated the Commission on the status of remaining central office codes including the staff's current estimate when there will be 10 remaining codes in the 402 Area Code numbering resources, triggering the opening of the 531 area code.

Gene Hand discussed the plans for next year's Broadband Conference and informed the Commission that staff planning is underway for years 3-5 of the American Recovery and Reinvestment Act of 2009 (ARRA) grant.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska  
243 Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Telenational Communications, Inc., Respondent(s): Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, 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.)

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to levy late-fees against AT&T Corporation and Consumer Cellular, Inc. and, that a complaint be opened against Value-Added Communications, Inc. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0045/ In the Matter of the Commission, on its own motion, seeking  
PI-127 to investigate policies of jurisdictional utilities charging monthly fees for disconnected months of natural gas service when reconnected within a twelve-month period: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NG-0055/ In the Matter of the Commission, on its own motion, to  
PI-143 investigate revenue decoupling and energy efficiency programs for natural gas public utilities. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NG-0067 In the Matter of SourceGas Distribution LLC, Lakewood,  
Colorado, seeking approval of a general rate increase. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter a Planning Conference Order and Notice of Hearing and an order granting Interventions. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. A hearing was scheduled for March 19, 2012, at 10:00 a.m. and to continue as necessary through March 23, 2012, in the Commission Hearing Room, Lincoln.

Laura Demman reported a total number of 35 consumer complaints and inquiries received at the Commission during October. For each company: Black Hills - 1; SourceGas - 33; NorthWestern - 0; and Other Entities - 1.

RULES AND REGULATION

Rule and In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 5, Telecommunications Rules and  
#176 Regulations, to adopt rules in accordance with Nebraska  
Legislative Bill 181 [2010]. Commissioner Tim Schram pre-  
siding as Hearing Officer: Motion made by Commissioner Anne Boyle,  
seconded by Commissioner Jerry Vap, to issue a Certificate of Adoption  
on the fourth set of rules. Motion passed with Commissioners Anne  
Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting  
AYE.

Rule and In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 9, Natural Gas and Pipeline  
#179 Rules and Regulations, to adopt rules regarding General  
Rate Filings; Rate Principles' Affiliate Transactions, and  
Tariff Filings. Commissioner Frank Landis presiding as Hearing Offi-  
cer: Motion made by Commissioner Frank Landis, seconded by Commis-  
sioner Anne Boyle, to enter an order issuing a Certificate of Adop-  
tion. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank  
Landis, Tim Schram, and Jerry Vap voting AYE.

LEGISLATIVE

Mike Hybl updated the Commission on the special session.

TRANSPORTATION DEPARTMENT

Rate Division

BR-396 In the Matter of Triumph Transportation, dba Prince of the  
Road, Kearney, seeking authority to set its rates and  
charges: Motion made by Commissioner Jerry Vap, seconded by Commis-  
sioner Anne Boyle, 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.

BR-397 In the Matter of Capeace, Inc., dba Commuter Express,  
Omaha, seeking authority to set its rates and charges:  
Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank  
Landis, to enter an order granting the application as amended on an  
emergency basis. Motion passed with Commissioners Anne Boyle, Rod  
Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

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 \$1.12 per  
mile and the Tariff 22 fuel surcharge to \$7.60 per truck per trip.

GENERAL ADMINISTRATION

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

Hurlbert CPA, LLC	\$	9,620.00
Voyager		2,005.66

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

A. G. N. Sales	\$	312.85
Alternative Hearing		563.00
Amplified Phone Services		708.57
B Hear		3,608.45
Beltone		2,729.54
Complete Hearing Solution		1,078.75
Glassman's Hearing Aid Service		132.09
Grand Island Hearing Aid		841.00
Hamilton Telephone Company		859.84
Carl A. Johnson		377.57
Professional Hearing Aid Services		319.90
Sherard Hearing Aid Center		394.80
Teltex Inc.		1,440.16
The Hearing Clinic		600.00
Weitbrecht Communications		1,157.15
Western ENT Associates PC		139.95
White's Hearing Aid Specialists		224.90

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The meeting adjourned at 10:28 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 November 21, 2011, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on November 18, 2011.

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Chairman

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Executive Director