

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present and Commissioner Anne Boyle excused. Chairman Johnson invited the public to address the Commission and 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 May 8, 2012 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 May 16, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Wednesday, May 16, 2012:

NUSF-4 Commission Hearing Room, Lincoln.
1:30 In the Matter of the Commission, on its own motion, seeking to determine the level of the fund necessary to carry out the Nebraska Telecommunications Universal Service Fund Act beginning July 1, 1999. Commissioner Frank Landis presiding as Hearing Officer.

Thursday, May 17, 2012:

C-4459 Commission Hearing Room, Lincoln. Workshop.
10:00 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate and monitor compliance with federally mandated intercarrier compensation reform. Commissioner Frank Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

AD-539r In the Matter of the Application of Lancaster County Democrats, Lincoln, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4455 In the Matter of the Application of Onvoy, Inc., Minneapolis, Minnesota, seeking authority for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Access Telecommunications Services in the State of Nebraska: Motion made by Commissioner Tim Schram, seconded by Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-4467/
DC-81 In the Matter of the Nebraska Public Service Commission regarding the 2011 Annual Report Filings. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order to show cause and schedule a hearing for August 7, 2012 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Gene Hand informed the Commission that a request was received from Sprint Nextel on May 9, 2012 for approval to override the denial by the Pooling Administrator for four full codes in the Minden rate center. Because of an accelerated time line request by the customer, Sprint Nextel asks the release of the first code be June 1, 2012 instead of July 1, 2012: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve sending a letter to the Pooling Administrator supporting the release of the first code on June 1, 2012. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders granting applications E-2306 thru E-2809. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

E-2306 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.

E-2307 In the Matter of the Application of Norris Public Power District, Beatrice, seeking authority to construct, operate, and maintain an electric transmission line in Saline County.

E-2308 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.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2309 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate, and maintain electric transmission lines in Scotts-Bluff County.

C-4426 In the Matter of the Application of Common Point, LLC, Springfield, Illinois, seeking to establish its initial access service tariff for access tandem switching. Commissioner Frank Landis presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer order was entered May 7, 2012 granting a second extension of time to file a negotiation report.

Gene Hand reported that BroadMap is today's planning webinar presenter starting at 10:00 a.m.

Gene Hand reported that both Federal Communications Commission (FCC) Commissioners Pai and Rosenworcel were sworn in May 14, 2012.

Gene Hand announced that on May 14, 2012, the Federal Communications Commission (FCC) released its third Order on Reconsideration whereby it responded to petitions for reconsideration and clarification of the Universal Service Fund/Intercarrier Compensation (USF/ICC) Transformation Order adopted October 27, 2011.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska
265 Telecommunications Infrastructure and Public Safety
Department of the Nebraska Public Service Commission,
Complainant, v. Convergia, Inc., Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

WC Docket In the Matter of Lifeline and Link-Up Reform and Moderniz-
11-42 ation: Motion made by Commissioner Frank Landis, seconded
by Commissioner Tim Schram to ratify the filing of comments
to the FCC due May 15, 2012. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to open a complaint against ACN Digital Phone Service, LLC and to levy late-fees against NebraskaLink, LLC and NebraskaLink Holdings, LLC. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NATURAL GAS DEPARTMENT

NG-0061 In the Matter of Black Hills/Nebraska Gas Utility Company,
HS-0041 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 Tim Schram, seconded by
Commissioner Frank Landis, to enter Assessment Order HS-0041. Motion
passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and
Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NG-0066 In the Matter of gas supply cost adjustment schedules
HS-005 implemented by Black Hills/Nebraska Gas Utility Company,
 LLC, d/b/a Black Hills Energy, Omaha, pursuant to *Neb. Rev.*
Stat. sec. 66-1854. Commissioner Frank Landis presiding as Hearing
Officer: Motion made by Commissioner Tim Schram, seconded by Com-
missioner Frank Landis, to enter Assessment Order HS-005. Motion
passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and
Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

TRANSPORTATION DEPARTMENT

B-1809 In the Matter of First Student, dba First Student, Inc.,
 Cincinnati, Ohio, seeking to acquire, by merger, the
authority held by Laidlaw Transit, Inc., Omaha, in Certificate B-1275:
Motion made by Commissioner Tim Schram, seconded by Commissioner Frank
Landis, to enter an order granting the application and revoking Certi-
ficate B-1275. Motion passed with Commissioners Rod Johnson, Frank
Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne
Boyle excused not voting.

B-1811 In the Matter of Bar Crawler, Omaha, seeking authority as a
 common carrier in Nebraska intrastate commerce in the
transportation of passengers by bus in charter and special party
between points in Omaha and Lincoln. RESTRICTION: The transportation
of railroad train crews and their baggage is not authorized. HHS
Designation: No: Motion made by Commissioner Jerry Vap, seconded by
Commissioner Frank Landis, to enter an order granting the application.
Motion passed with Commissioners Rod Johnson, Frank Landis, Tim
Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused
not voting.

M-14214 In the Matter of Action Movers, Omaha, seeking to acquire,
 through transfer, the authority granted to Umbrella House,
Inc., dba Action Movers, Omaha, in Certificate M-14210: Motion made by
Commissioner Tim Schram, seconded by Commissioner Frank Landis, to
enter an order granting the application and revoking Certificate
M-14210. Motion passed with Commissioners Rod Johnson, Frank Landis,
Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle
excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

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 decreased to \$1.10 per mile and the Tariff 22 to \$7.40 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

A & E In the Matter of Fixing Reasonable Storage Rates and Rates Charges for Public Grain Warehouses: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order setting A & E Rates. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

GW-2160 In the Matter of United Farmers Cooperative, York, seeking cancellation of a warehouse receipt: John Fecht presented the application to cancel lost warehouse receipt No. B674679. The receipt was lost by the licensee and a subsequent receipt was issued with a different commodity for collateral to licensee's financial institution. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to cancel warehouse receipt No. B674679. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

GENERAL ADMINISTRATION

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

AS Central Services-Material	\$	1,665.78
University of Nebraska-Bureau of Business Research		9,424.25
West		1,029.48
Rod Johnson		683.76

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve the purchase of three Perten 5200 moisture testers for use in the Grain Warehouse Department to be paid for by the Moisture Testing Cash Fund. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

The meeting adjourned at 10:24 a.m. with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present and Commissioner Anne Boyle excused. The next regularly scheduled meeting will be held on May 22, 2012, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on May 21, 2012.

Chairman

Executive Director