

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, and Tim Schram present, and Commissioners Anne Boyle and Gerald Vap 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. Chairman Johnson announced that there will be no Commission meeting on June 12. The next meeting will be held June 19.

GENERAL ADMINISTRATION

Notice was duly published May 30, 2012 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on June 5, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in May 2012. She reported that there were a total of 43 complaints: 31 - wireline and 12 - wireless. The complaints were categorized as follows: 27 billing, 12 service, and 4 miscellaneous issues.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders granting applications AD-540r and AD-541r. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

AD-540r In the Matter of the Application of TCN, Saint George, Utah, seeking authority to register the connection of an automatic dialing-announcing device.

AD-541r In the Matter of the Application of NorthStar Campaign Systems, Omaha, 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 orders granting the proposed rate increases for Dockets C-4450 thru C-4452. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

C-4450 In the Matter of Benkelman Telephone Co., Inc., Benkelman, seeking a basic local rate increase.

C-4451 In the Matter of Wauneta Telephone Company, Benkelman, seeking a basic local rate increase.

C-4452 In the Matter of Hartman Telephone Exchanges, Inc., Benkelman, seeking a basic local rate increase.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4456 In the Matter of K & M Telephone Company, Inc., Chambers, seeking a waiver of the requirement of Title 291 NAC Chapter 5, Rule 002.06 regarding public pay stations: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the waiver. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

Gene Hand discussed TRS Late-Filed Carrier Remittances: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, that a complaint be opened against Allo Communications. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

C-4328 In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate issues related to the service quality associated with intrastate interexchange service including the origination, termination, and routing of interexchange calls. Commissioner Frank Landis presiding as Hearing Officer: Gene Hand provided a report summarizing responses to a Commission request seeking updated call termination data sent to 150 local exchange carriers.

C-4448/
NUSF-79 In the Matter of the Application of Pinpoint Wireless, Inc. d/b/a Blaze Wireless, Cambridge, seeking authority for designation as a wireless Eligible Telecommunications Carrier. Commissioner Jerry Vap Presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's Order was entered June 1, 2012 rescheduling the hearing from July 11 to June 19, 2012 at 11:00 a.m. in the Commission Hearing Room, Lincoln.

C-4464/
NUSF-81 In the Matter of the Application of TerraCom, Inc., Oklahoma City, Oklahoma, for designation as an eligible telecommunications carrier in the State of Nebraska. Commissioner Rod Johnson presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's Order was entered June 5, 2012 scheduling a hearing for July 11, 2012 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

Gene Hand reported receipt of access tariff filings submitted prior to the Hearing Officer's order detailing the process that will be used in Nebraska.

Gene Hand announced that Verizon Wireless is a recent addition to the approved wireless equipment vendors participating in the Nebraska Specialized Telecommunications Equipment Program (NSTEP).

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-020.06/ In the Matter of Sue Vanicek, Director of the Nebraska DC/82 Telephone Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Cable USA III, LLC; Covista, Inc.; Crexendo Business Solutions, Inc.; DIECA Communications, Inc.; DSLNet Communications, LLC; Geneva Broadband, LLC; Ionex Communications North, Inc.; LH Telecom; Long Lines Siouxsland, LLC; Midwestern Telecommunications, Inc.; NetTalk.Com, Inc.; Neutral Tandem-Nebraska, LLC; New Edge Network, Inc.; NOS Communications, Inc.; Reliant Communications, Inc.; inContact, Inc.; Velocity the Greatest Phone Company Ever, Inc.; Wholesale Carrier Services, Inc.; XO Communications, LLC, Respondent(s): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint, in part. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders in Dockets NUSF 77, P.O. 6, NUSF-69 and NUSF-26 seeking initial comments due August 15, 2012 with reply comments due September 14, 2012. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting. Commissioner Frank Landis presiding as Hearing Officer.

NUSF-77, In the Matter of the Petition of the Nebraska Telecommuni- P.O. 6 cations Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund.

NUSF-69 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to implement policies and procedures related to providing dedicated universal service support for wireless telecommunications services.

NUSF-26 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish a long-term universal service funding mechanism.

NUSF-79/ In the Matter of the Application of Pinpoint Wireless, Inc. C-4448 d/b/a Blaze Wireless, Cambridge, seeking designation as a wireless Eligible Telecommunications Carrier: This matter was discussed in the Communications Department agenda.

NUSF-81/ In the Matter of the Application of TerraCom, Inc., Okla- C-4464 homa City, Oklahoma, for designation as an eligible telecommunications carrier in the State of Nebraska: This matter was discussed in the Communications Department agenda.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Sue Vanicek recommended to the Commission that the late-fee previously assessed against NebraskaLink Holdings, LLC be waived. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to waive the late-fee. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

NATURAL GAS DEPARTMENT

Laura Demman reported a total number of 12 consumer complaints and inquiries received at the Commission during May. For each company: Black Hills - 5; SourceGas - 5; NorthWestern - 0; and Other Entities - 2.

Laura Demman provided the Report on Supplier Rates for the 2012-2013 SourceGas Choice Program.

RULES & REGULATIONS

Rule and Regulation to amend Title 291, Chapter 7, Transmission Lines Rules and #184 Regulations, to adopt the 2012 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for July 17, 2012 at 2:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

TRANSPORTATION DEPARTMENT

Rate Division

BR-401 In the Matter of Bar Crawler, Omaha, 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 Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap 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 decreased to \$1.04 per mile, and the Tariff 22 fuel surcharge to \$6.80 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

- GW-2129 In the Matter of The Scoular Co., Madrid: John Fecht discussed the shortage of soybeans.
- GW-2132 In the Matter of The Scoular Co., Sidney: John Fecht discussed the shortage of wheat.

Grain Dealer Division

- GD-2182 In the Matter of Bow Valley Elevator, LLC, Hartington: John Fecht discussed cancellation of the grain dealer license effective March 24, 2012.
- GD-2984 In the Matter of the Application of Double T Grain LLC, Roff, Oklahoma, seeking authority as a grain dealer under Neb. Rev. Stat. Section 75-903 (Reissue 1996): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting a grain dealer license. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap 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, and Tim Schram voting AYE and Commissioners Anne Boyle and Jerry Vap excused not voting.

Holiday Inn Express, Ogallala	\$	1,274.60
NASUCA		500.00
US Bank		2,927.17
US Post Office		1,080.00
Mark Luttich		558.72
Kent Pribyl		560.70
Frank Landis		263.07
Tim Schram		754.80

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve the purchase of 5 Microsoft Office 2010 licenses for the Commissioners. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve the purchase of 5 computer monitors for the Commission staff. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve the purchase of one computer and one monitor for the NTIPS department. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Anne Boyle and Jerry Vap excused not voting.

The meeting adjourned at 10:32 a.m. with Commissioners Rod Johnson, Frank Landis, and Tim Schram present, and Commissioners Anne Boyle and Gerald Vap excused. The next regularly scheduled meeting will be held on June 19, 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 June 18, 2012.

Chair man

Executive Director