

Chairman Rod Johnson 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 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. Commissioner Johnson informed the Commission that there will be no Commission Meeting the week of July 2-6 and that the office will be closed Wednesday, July 4 in observance of Independence Day.

GENERAL ADMINISTRATION

Notice was duly published June 19, 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 June 26, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Monday, July 9, 2012:

10:00 E911 Advisory Board Meeting

COMMUNICATIONS DEPARTMENT

C-4353.2 In the Matter of the Application of Securus Technologies, Inc., Dallas, Texas, seeking approval of an amendment of issuance of debt and related financing transactions previously approved in Docket C-4353: Motion made by Commissioner Tim Schram, 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.

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 wireless Eligible Telecommunications Carrier. Commissioner Jerry Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, 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.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4453/ NUSF-80 In the Matter of the Application of Cricket Communications, Inc., San Diego, California, for designation as an eligible telecommunications carrier in the State of Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order setting a hearing for July 9, 2012, at 1:30 p.m. in the Commission Hearing Room. A video conference site will also be available at the request of the applicant at the offices of Latham & Watkins; 12636 High Bluff Drive, Suite 400, San Diego, CA 92130. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. Commissioner Tim Schram appointed as Hearing Officer.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter orders granting applications E-2311 and E-2312. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

E-2311 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Gage and Pawnee Counties:

E-2312 In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Pawnee and Richardson Counties:

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund. Gene Hand informed the Commission that \$60.13 was transferred from the Competitive Marketplace Fund to the Internet Enhancement Fund on June 22, 2012. Additionally, a partial year payment to the Nebraska Internet Enhancement Fund for the 2011 calendar year Dark Fiber Lease between the Nebraska Public Power District and Pinpoint Communications was made for \$13,982.79. This payment was made June 19, 2012.

Gene Hand discussed the petition the Federal Communications Commission (FCC) filed with the 10th Circuit Court asking the court to hold the appeal of the Intercarrier Compensation/Universal Service Fund (ICC/USF) Reform Order in abeyance pending action by the FCC on motions for reconsideration.

Gene Hand reported draft comments to be filed with the Federal Communications Commission (FCC) by July 2, 2012 responding to questions specific to collecting exchange and study area boundaries in an electronic format will be circulated for final edits.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-019/ In the Matter of the Nebraska Public Service Commission, on
PI-118 its own motion, to implement provisions of LB 1222 [2006]
and to establish a permanent funding mechanism for wireless
enhanced 911 service: Commissioner Vap presiding as Hearing Officer:
Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne
Boyle, to enter an order of Findings and Conclusions, seeking comments
due August 21, 2012 and scheduling a hearing for August 28, 2012 at
1:30 p.m. CDT in the Commission Hearing Room, Lincoln. Motion passed
with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram,
and Jerry Vap voting AYE.

911-056/ In the Matter of the Commission, on its own motion, seeking
PI-184 to investigate and establish one time distribution of funds
for equipment and software pursuant to the Enhanced Wire-
less Services Act, Neb. Rev. Stat. § 86-442 et seq. Commissioner Vap
presiding as Hearing Officer: Motion made by Commissioner Jerry Vap,
seconded by Commissioner Tim Schram, to enter an order making Findings
and closing the docket. Motion passed with Commissioners Anne Boyle,
Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NUSF-37.267 In the Matter of Sue Vanicek, Director of the Nebraska
Telecommunications Infrastructure and Public Safety
Department of the Nebraska Public Service Commission, Complainant, v.
ACN Digital Phone Service, Inc., Respondent(s): Motion made by Commis-
sioner Tim Schram, seconded by Commissioner Frank Landis, to enter an
order dismissing the complaint. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting
AYE.

NUSF-69.05 In the Matter of the Nebraska Service Commission, on its
own motion, seeking to implement policies and procedures
related to providing dedicated universal service support for Wireless
Telecommunications Services. United States Cellular Corporation:
Motion made by Commissioner Frank Landis, seconded by Commissioner
Anne Boyle, to enter an order amending the November 3, 2010 Order and
approving the reallocation of support. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry
Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by
Commissioner Tim Schram, to enter orders granting carrier applications
in Dockets NUSF-77.02, NUSF-77.04 and NUSF-77.07, PO #5 and granting
in part Dockets NUSF-77.01, NUSF-77.03, NUSF-77.05 and NUSF-77.06, PO
#5. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank
Landis, Tim Schram, and Jerry Vap voting AYE. Commissioner Frank
Landis presiding as Hearing Officer

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- NUSF-77.01 P.O. 5 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund. Application to the Nebraska Broadband Pilot Program (NEBP) received from Mobius Communications Company:
- NUSF-77.02 PO #5 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund. Application to the Nebraska Broadband Pilot Program (NEBP) received from Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska:
- NUSF-77.03 PO #5 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund. Application to the Nebraska Broadband Pilot Program (NEBP) received from Nyecom Teleservices, Inc./Plainview Telephone Company:
- NUSF-77.04 PO #5 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal (NEBP) received from Great Plains Communications:
- NUSF-77.05 PO #5 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund. Application to the Nebraska Broadband Pilot Program (NEBP) received from Consolidated Telephone Company:
- NUSF-77.06 PO #5 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless:
- NUSF-77.07 In the Matter of the Petition of the Nebraska Telecommunications Association for investigation and review of processes and procedures regarding the Nebraska Universal Service Fund. Application to the Nebraska Broadband Pilot Program (NEBP) received from CenturyLink:

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-79/
C-4448 In the Matter of the Application of Pinpoint Wireless, Inc., d/b/a Blaze Wireless, Cambridge, seeking designation as a wireless Eligible Telecommunications Carrier. Commissioner Vap presiding as Hearing Officer: Order was discussed and entered on the Communications Department's agenda.

NUSF-80/
C-4453 In the Application of Cricket Communications, Inc., seeking designation as an Eligible Telecommunications Carrier: Commissioner Tim Schram designated as Hearing Officer. Order was discussed and entered on the Communications Department's agenda.

Sue Vanicek discussed the NUSF-Late Filed Remittance Worksheets. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to levy late-fees against AccessLine Communications, Corporation; Aero Communications, LLC; Allo Communications, LLC; Consumer Cellular, Inc.; Global Crossings Telecommunications; Lightyear Network Solutions, LLC; Telmate, LLC; and Trans National Communications. Additionally, that Complaints should be opened against Convergia, Inc.; IDT America Corporation; NE Colorado Cellular, Inc.; OneLink Communications, Inc.; Voicecom Telecommunications; Go Solo Technologies, Inc.; Net Talk.Com, Inc. Panasonic Corporation of North America; and United Telecom, Inc.: Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0061
HS-0042 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 Tim Schram, to enter Assessment Order No. HS-0042. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NG-0067
HS-003 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 Frank Landis, to enter Assessment Order No. HS-003. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

NG-0071 In the Matter of gas supply cost adjustment schedules im-
CA-003 plemented by NorthWestern Corporation, D/B/A NorthWestern
Energy, Sioux Falls, South Dakota, pursuant to *Neb. Rev. Stat. sec. 66-1854*. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter Assessment Order No. CA-003. 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. Angela Melton discussed the notice received from Public Advocate of filing an appeal with the District Court.

NG-0071 In the Matter of gas supply cost adjustment schedules imp-
plemented by NorthWestern Corporation, D/B/A NorthWestern
Energy, Sioux Falls, South Dakota, pursuant to *Neb. Rev. Stat. sec. 66-1854*. Commissioner Rod Johnson presiding as Hearing Officer: Angela Melton discussed an order entered by the Hearing Officer on June 20, 2012 extending Discovery Deadline until June 29, 2012 and Requests for Information Responses until July 13, 2012.

TRANSPORTATION DEPARTMENT

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 \$.98 per
mile, and the Tariff 22 fuel surcharge to \$6.36 per truck per trip.

HOUSING DEPARTMENT

Mark Luttich, Director, Housing and Recreational Vehicles,
provided an update on the financial status of the department.

GRAIN WAREHOUSE DEPARTMENT

GW-17 In the Matter of the attached list of applicants, seeking
authority as a grain warehouse pursuant to *Neb. Rev. Stat. Section 88-527*: John Fecht presented the list of renewal applications for the second quarter.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

- GW-1154 In the Matter of Cooperative Producers, Inc., Hastings, NE:
John Fecht presented a shortage of oats, white corn and
corn screenings.
- GW-2147 In the Matter of Lorensen Lumber and Grain, LLC, Pender,
NE: John Fecht presented a shortage of corn.
- GW-2183 In the Matter Crofton Elevator, Inc., Crofton, NE: John
Fecht presented a shortage of oats.
- GW-2188 In the Matter of Beemer Grain, LLC., Beemer, NE seeking
authority as a grain warehouse pursuant to Neb. Rev. Stat.
Section 88-527: Motion made by Commissioner Jerry Vap, seconded by
Commissioner Tim Schram, to enter an order granting a grain warehouse
license. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Grain Dealer Division

- GD-17 In the Matter of the attached list of applicants, seeking
authority as a grain dealer pursuant to Neb. Rev. Stat.
Section 75-903 (Reissue 1996): John Fecht presented the list of
renewal applications for the second quarter.

GENERAL ADMINISTRATION

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

AS Central Services - Network Services	\$	3,325.51
JS Wurm & Associates		1,191.13
Sprint		58,394.56
TechDepot		932.58
Gerald Vap		782.58

Motion made by Commissioner Jerry Vap, seconded by Commis-
sioner Anne Boyle, to approve the Executive Director's recommendation
to surplus vehicle number 13261, a 2005 Ford Taurus SE (Scott Micek).
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 Commis-
sioner Frank Landis, to approve the Executive Director's recommenda-
tion to hire a temporary receptionist effective June 27, 2012. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram, and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to purchase a phone, switchboard, and headpiece for the Receptionist position. 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 Jerry Vap, to approve the Executive Director's recommendation to revise the maximum assessment budget from \$375,000 to \$406,000 for the Public Advocate for the purpose of the consideration, before the Commission, of the application of SourceGas Distribution, LLC for a general rate increase, NG-0067. 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 Tim Schram, to approve the Executive Director's recommendation to renew the Commission's Interagency Agreement with the Nebraska Department of Justice for the provision of legal services. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to enter into closed session to discuss personnel issues. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. The Commission entered into closed session at 10:39 a.m.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. The Commission returned to open session at 10:48 a.m.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to reclassify an employee in the NTIPS Department. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to approve 2012-2013 cost of living adjustments for agency personnel. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

The meeting adjourned at 10:53 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 July 10, 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 July 9, 2012.

Chair man

Executive Director