

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Gerald Vap and Tim Schram present and Commissioners Anne Boyle and Frank Landis 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 October 2, 2012 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held October 10, 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:

Wednesday, October 10, 2012:

911-002 Commission Hearing Room, Lincoln.
1:30 In the Matter of the Nebraska Public Service 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

AD-550r In the Matter of the Application of Hudson Bay Company of Illinois, Lincoln, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

C-4459/
PI-185 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: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter a progression order. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

C-4511 In the Matter of the Application of Telrite Corporation, Covington, Georgia, seeking approval of an asset purchase agreement and transfer of customers of Applewood Communications, South Boston, Virginia: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders approving applications C-4509, C-4510 and C-4512. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

C-4509 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of an ICC VoIP Amendment to the Interconnection Agreement with XO Communications Services, LLC, Midvale, Utah, previously approved in Docket C-3939.

C-4510 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of an ICC VoIP Amendment to the Interconnection Agreement with Bandwidth.com CLEC, LLC, Cary, North Carolina previously approved in Docket C-3916.

C-4512 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of an ICC VoIP Amendment to the Interconnection Agreement with Sprint Communications Company L.P., Overland Park, Kansas, previously approved in Docket C-3089.

Gene Hand reported on the 2nd Annual Broadband Connecting Nebraska Conference and plans for the 3rd Annual Conference to be held on October 16 and 17, 2013, at the Younes Conference Center, Kearney.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-042.62 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Colfax County: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the extension request by Colfax County to October 31, 2012 for the PSAP audit due October 15, 2012. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

NUSF-37.277 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Access One, Inc., Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order dismissing the complaint. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to amend the current complaint against Net Talk.Com, Inc. and open complaints against Cincinnati Bell Any Distance, Inc., Go Solo Technologies, Inc. and Network Communications International; that late-fees be levied against Custom Tele-connect, Inc., MCI Metro Access, TracFone Wireless, Inc. and TTI National, Inc.; and that a one-time waiver should be granted to International Telcom, Ltd. and Toshiba America Information Systems. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT

B-1789 In the Matter of Safe Knights, Inc., Omaha: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order to show cause and schedule a hearing for October 30, 2012, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Anne Boyle was appointed as Hearing Officer. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

B-1813 In the Matter of Tri-County Public Transportation, LLC, Schuyler: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order to show cause and schedule a hearing for October 30, 2012, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting. Commissioner Rod Johnson was appointed as Hearing Officer.

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 increased to \$1.22 per Mile and the Tariff 22 fuel surcharge to \$8.76 per truck per trip.

GENERAL ADMINISTRATION

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

GENERAL ADMINISTRATION (Cont.)

AS Central Services-State Accounting	\$	13,441.00
AS Central Services-Purchasing Revolving Assmt.		4,508.00
AS Central Services-Personnel-SOS		888.92
Ted Burkey		1,345.25
Fred Massing		1,345.00
Voyager		1,699.80
Kent Pribyl		741.78

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve Commission minutes for September, 2012. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to purchase safety equipment for use by personnel in the Grain Warehouse Department. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to open up for hire the position of Grain Warehouse Examiner for the Grain Warehouse Department. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to ratify the Executive Director's hiring of Janae Sulzle as Receptionist/Administrative Secretary for the Commission with an employment start date of October 22, 2012. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

The meeting adjourned at 10:15 a.m. with Commissioners, Rod Johnson, Gerald Vap and Tim Schram present and Commissioners Anne Boyle and Frank Landis excused. The next regularly scheduled meeting will be held on October 16, 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 October 15, 2012.

Chair man

Executive Director