

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Gerald Vap and Tim Schram 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. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published October 26, 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 30, 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:

Tuesday, October 30, 2012:

- 1:30 Commission Hearing Room, Lincoln.
- B-1789 In the Matter of Safe Knights, Inc., Omaha. Commissioner Anne Boyle presiding as Hearing Officer.
- B-1813 In the Matter of Tri-County Public Transportation, LLC, Schuyler. Commissioner Rod Johnson presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

- C-4519 In the Matter of the Application of Dieca Communications, Inc., San Jose, California, seeking authority to change its name to MegaPath Corporation: 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-4520 In the Matter of Hartington Telecommunications Co., Inc. d/b/a Hartelco, Hartington, seeking a waiver of the requirement of Title 291 NAC Ch.5, Rule 002.06 regarding public pay stations: 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 State Broadband Initiative (SBI) Grantee call with National Telecommunications and Information Administration (NTIA) representatives held Monday, October 29, 2012.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-045/ In the Matter of the Commission, on its own motion, seeking
PI-166 to investigate the requirements, costs and impact of the
implementation of Next Generation 911 in Nebraska relating
to the provision of Enhanced Wireless 911 Service: Motion made by
Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter
an order setting a hearing for November 19, 2012 at 1:30 in the
Commission Hearing Room, Lincoln and, seeking comments due on or
before December 14, 2012. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.
Commissioner Jerry Vap was appointed as Hearing Officer.

911-050.01 In the Matter of the Second Petition of N.E. Colorado
Cellular, Inc., d/b/a Viaero Wireless for support from the
E-911 Wireless Service Provider (WSP) Grant Program: Motion made by
Commissioner Frank Landis, seconded by Commissioner Tim Schram to
enter an order granting an extension of project deadline. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

OP-0001/ In the Matter of the Commission, on its own motion, seeking
PI-183 to establish guidelines for prosecution of applications
under the Major Oil Pipeline Siting Act. Commissioner
Jerry Vap presiding as Hearing Officer: Motion made by Commissioner
Jerry Vap, seconded by Commissioner Frank Landis to enter Order Adopt-
ing Standard Progression Order. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0013 In the Matter of the Commission, on its own motion, to
P.O. 37 evaluate and establish, on a quarterly basis, an assessment
for jurisdictional utilities pursuant to the State Natural
Gas Regulation Act [LB 790, 2003]. Commissioner Landis presiding as
Hearing Officer: Motion made by Commissioner Frank Landis, seconded
by Commissioner Anne Boyle to enter Progression Order 37. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram and Jerry Vap voting AYE.

NG-0071 In the Matter of gas supply cost adjustment schedules
CA-006 implemented 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 Jerry Vap, seconded by Commis-
sioner Anne Boyle to enter Assessment Order CA-006. Motion passed
with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram
and Jerry Vap voting AYE.

RULES AND REGULATIONS

Rule and Regulation #183 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 9, Natural Gas and Pipeline Rules and Regulations, to adopt rules regarding pipelines and to implement the provisions of the Major Oil Pipeline Siting Act. Commissioner Jerry Vap presiding as Hearing Officer: Laura Demman provided an update on a late filed exhibit.

TRANSPORTATION DEPARTMENT

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to enter orders to show cause and schedule a hearing for November 27, 2012, at 1:30 p.m. in the Commission Hearing Room, Lincoln in Dockets M-14189 and M-14203. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Tim Schram was appointed as Hearing Officer.

M-14189 In the Matter of David Patterson dba Patt's Rental Center, Fremont

M-14203 In the Matter of Patt's Moving Center, LLC, Omaha

Rate Division

BR-409 In the Matter of Unity Transportation Services, Inc., Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner 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.

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 \$1.18 per mile, and the Tariff 22 to \$8.20 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-2122 In the Matter of Carroll Feed & Grain Co., Carroll, NE: John Fecht discussed a shortage of corn.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

Grain Dealer Division

GD-2988 In the Matter of Flint Hills Resources Grain, LLC, Wichita, KS seeking authority as a grain dealer pursuant to Neb. Rev. Stat. Section 75-903 (Reissue 1996): Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram to enter an order granting the grain dealer license. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

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

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to amend the Commission's request with Fred Massing for the inspection of modular housing unit and manufactured home factory inspections within the State of Nebraska. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

The meeting adjourned at 10:40 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Gerald Vap and Tim Schram present. The next regularly scheduled meeting will be held on November 7, 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 November 6, 2012.

Chairman

Executive Director