

Vice Chair Frank Landis called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Gerald Vap and Tim Schram present, and Commissioner Anne Boyle excused. Vice Chair Landis 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 21, 2013 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 29, 2013 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

C-4571/ NUSF-88 In the Matter of the Application of Telrite Corporation d/b/a Life Wireless for Designation as an Eligible Telecommunications Carrier in the State of Nebraska for the Limited Purpose of Offering Wireless Lifeline Service to Qualified Households (Low Income Only). Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, 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.

E-2350 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: Motion made by Commissioner Rod Johnson, 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.

C-4606 In the Matter of Cox Nebraska Telecom, LLC, Omaha, seeking a business rate increase: Gene Hand reported on a notification letter that will be sent to Cox business customers notifying them of a \$1.00/month rate increase effective September 1, 2013.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-042.18 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: City of North Platte: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order approving use of funding. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson to enter orders approving funding in Dockets 911-042.01 through 911-042.10; 911-042.12 through 911.042.30 and 911-042.72. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

- 911-042.01 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: Nemaha County.
- 911-042.02 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: Dodge County 911 Board.
- 911-042.03 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: Clay County.
- 911-042.04 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: Knox County.
- 911-042.05 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: City of South Sioux City.
- 911-042.06 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: City of Grand Island.
- 911-042.07 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: Johnson County.
- 911-042.08 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: City of Falls City.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.09 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: City of McCook.
- 911-042.10 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: Buffalo County.
- 911-042.12 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: Kimball County.
- 911-042.13 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: Merrick County.
- 911-042.14 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: City of Holdrege.
- 911-042.15 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: Hamilton County.
- 911-042.16 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: Cheyenne County.
- 911-042.17 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: Hitchcock County.
- 911-042.18 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: City of North Platte.
- 911-042.19 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: Saline County.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-042.20 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: Dawes County.
- 911-042.21 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: Cuming County.
- 911-042.22 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: City of Columbus.
- 911-042.23 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: Perkins County.
- 911-042.24 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: Fillmore County.
- 911-042.25 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: Keith County.
- 911-042.26 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: Dawson County.
- 911-042.27 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: Frontier County.
- 911-042.28 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: Seward County.
- 911-042.29 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: City of Hastings.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-042.30 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: Jefferson County.

911-042.72 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: Kearney County.

NUSF-4 In the Matter of the Commission, on its own motion, seeking to determine the level of the funds necessary to carry out the Nebraska Telecommunications Universal Service Fund Act effective fiscal year beginning July 1, 1999. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order setting the surcharge for the Fiscal Year 2013/2014 beginning July 1, 2013. 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 following Hearing Officer Orders that were entered on May 23, 2013, denying formal interventions:

NUSF-77.20 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 dba Viaero. Commissioner Frank Landis presiding as Hearing Officer.

NUSF-77.21 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 United States Cellular. Commissioner Frank Landis presiding as Hearing Officer.

Sue Vanicek discussed the following Hearing Officer Orders entered on May 23, 2013, vacating the May 2, 2013 Order:

NUSF-77.08 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: Application to the Nebraska Broadband Pilot Program (NEBP) received from Cambridge Telephone Company. Commissioner Frank Landis presiding as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- NUSF-77.11 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: Application to the Nebraska Broadband Pilot Program (NEBP) received from Diode Cable Company. Commissioner Frank Landis presiding as Hearing Officer.
- NUSF-77.12 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. Application to the Nebraska Broadband Pilot Program (NEBP) received from Glenwood Telecommunications, Inc. Commissioner Frank Landis presiding as Hearing Officer.
- NUSF-77.14 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: Application to the Nebraska Broadband Pilot Program (NEBP) received from Nebraska Central Telephone Company. Commissioner Frank Landis presiding as Hearing Officer.
- NUSF-77.17 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: Application to the Nebraska Broadband Pilot Program (NEBP) received from Rock County Telephone Company. Commissioner Frank Landis presiding as Hearing Officer.
- NUSF-77.18 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: Application to the Nebraska Broadband Pilot Program (NEBP) received from Three River Communications, LLC. Commissioner Frank Landis presiding as Hearing Officer.
- NUSF-77.19 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: Application to the Nebraska Broadband Pilot Program (NEBP) received from Windstream Communications: Commissioner Frank Landis presiding as Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-77.22 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: Application to the Nebraska Broadband Pilot Program (NEBP) received from Eastern Nebraska Telephone Company. Commissioner Frank Landis presiding as Hearing Officer.

NUSF-77.23 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: Application to the Nebraska Broadband Pilot Program (NEBP) received from Consolidated Telco, Inc. Commissioner Frank Landis presiding as Hearing Officer.

NUSF-88/
C-4571 In the Matter of the Application of Telrite Corporation d/b/a Life Wireless seeking designation as an Eligible Telecommunications Carrier in the State of Nebraska for the limited purpose of participating in the Lifeline Program. Commissioner Rod Johnson presiding as Hearing Officer: This matter was discussed on the Communications Department agenda.

NATURAL GAS DEPARTMENT

NG-0073 In the Matter of Sage Energy Trading, LLC, Tulsa, Oklahoma, seeking authority for a Competitive Natural Gas Provider Certificate in the State of Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting authority. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NG-0072 In the Matter of SourceGas Distribution LLC, Golden, Colorado, seeking approval of an infrastructure system replacement cost recovery charge, pursuant to Sections 66-1865 and 66-1866 of the State Natural Gas Regulation Act. Commissioner Jerry Vap presiding as Hearing Officer: Laura Demman discussed a Hearing Officer Order entered on May 28, 2013, scheduling a Planning Conference for June 4, 2013, at 1:30 p.m. in the Niobrara Conference Room, Lincoln. Parties wishing to participate by telephone should dial in to 1-888-820-1398, Access Code 4207969#.

Laura Demman discussed the Nebraska Energy Assistance Network (NEAN) Symposium held in Kearney on May 17, 2013.

Commissioner Anne Boyle entered the Commission Hearing Room.

LEGISLATIVE REPORT

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

Rate Division

BR-420 In the Matter of Pardy Bus, LLC, Kennard, seeking authority to set its rates and charges: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, 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 fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F fuel surcharge was retained at \$1.10 per mile and the Tariff 22 fuel surcharge at \$7.40 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-751/ In the Matter of John A. Fecht, Director of the Warehouse
GDC-438 Department of the Nebraska Public Service Commission, Com-
plainant, v. St. Paul Cooperative Grain Association, St.
Paul, Respondent: John Fecht presented a stipulation and late filing
fine.

GW-2129 In the Matter of The Scoular Company, Madrid: John Fecht
discussed a shortage of wheat.

GW-2132 In the Matter of The Scoular Company, Sidney: John Fecht
discussed a shortage of millet.

GW-2190 In the Matter of Manning Grain Company, Burress, seeking
authority as a grain warehouse pursuant to Neb. Rev. Stat.
Section 88-527: Motion made by Commissioner Jerry Vap, seconded by
Commissioner Anne Boyle, 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-2190 In the Matter of Manning Grain Company, Burress, 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 Rod Johnson, to enter an order granting a
grain dealer license. Motion passed with Commissioners Anne Boyle, Rod
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GD-2976/ In the Matter of John A. Fecht, Director of the Warehouse
GDC-436 Department of the Nebraska Public Service Commission, Com-
plainant v. Lackawanna Products Corp., Clarence, New York,
Respondent: John Fecht discussed the stipulation and late filing fine.

GD-2930/ In the Matter of John A. Fecht, Director of the Warehouse
GDC-437 Department of the Nebraska Public Service Commission, Com-
plainant, v. George Pfeifer Trucking, Spencer, Respondent:
John Fecht offered the option of voluntarily surrendering the license.

GDC-439 In the Matter of John A. Fecht, Director of the Warehouse
Department of the Nebraska Public Service Commission, Com-
plainant, v. Frontier Trading, Inc., Roff, Oklahoma a/k/a Heartland-
Frontier Trading Company and Frontier Trading Company, Respondent:
John Fecht presented a complaint filing for doing business without a
license.

GENERAL ADMINISTRATION

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

AS-OCIO Network Services	\$	3,553.85
AS-Personnel-SOS		1,688.10
Ag Express Electronics		4,900.00
GSI Workshop		9,715.00

The meeting adjourned at 10:35 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 June 4, 2013 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 3, 2013.

Vice Chair

Executive Director