

Chair Anne Boyle 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. Chair Boyle 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 September 10, 2013 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 17, 2013 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, September 17, 2013:

1:30 Commission Hearing Room, Lincoln.
NUSF-57.02 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Telehealth program: Nebraska Statewide Telehealth Network's June 20, 2013 request for consideration and approval of changes to the Nebraska Telehealth Network support mechanism. Commissioner Anne Boyle presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4623 In the Matter of the Application of BCN Telecom, Inc., Bedminster, New Jersey, seeking authority to operate as a resold local exchange carrier of telecommunication services within the State of Nebraska: Motion made by Commissioner Tim Schram, 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.

John Burvainis discussed the TRS Late-Filed Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, that a late-fee be levied against Long Lines Wireless, LLC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-4621/
NUSF-89 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the operations of Telrite Communications d/b/a Life Wireless, an Eligible Telecommunications Provider for the limited purpose of participating in the Lifeline program within the State of Nebraska, for violations of Commission Rules and Regulations regarding Lifeline in Nebraska: This item was discussed on the Nebraska Telecommunications Infrastructure & Public Safety Department's (NTIPS) agenda.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-018/ In the Matter of the Nebraska Public Service Commission, on
PI-117 its own motion, seeking to establish audit requirements
related to the Wireless Enhanced 911 Fund: Motion made by
Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter
an order granting audit waiver requests. Motion passed with Commis-
sioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry
Vap voting AYE.

911-024. In the Matter of the Nebraska Public Service Commission, on
31.02 its own motion, seeking to develop policies and process
requests for access to GIS data and the GIS Repository:
Nebraska Department of Natural Resources: Motion made by Commissioner
Jerry Vap, seconded by Commissioner Frank Landis, to enter an order
granting amended access. Motion passed with Commissioners Anne Boyle,
Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-33/ In the Matter of the Nebraska Public Service Commission, on
PI-68 its own motion, seeking to investigate the audit require-
ments related to the Nebraska Universal Service fund:
Motion made by Commissioner Tim Schram, seconded by Commissioner Frank
Landis, to enter an order approving/denying audit waivers. Motion
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim
Schram and Jerry Vap voting AYE.

NUSF-89/ In the Matter of the Commission, on its own motion, seeking
C-4621 to conduct an inquiry into the operations of Telrite Com-
munications d/b/a Life Wireless, an Eligible Telecommuni-
cations Provider for the limited purpose of participating in the
Lifeline program within the state of Nebraska, for violations of
Commission Rules and Regulations regarding Lifeline in Nebraska.
Commissioner Anne Boyle presiding as Hearing Officer: Motion made by
Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to
enter an order revoking their Eligible Telecommunications Carrier
designation. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek discussed the late-filed and late-paid NUSF
remittances: Motion made by Commissioner Jerry Vap, seconded by Com-
missioner Rod Johnson, to open complaints against Convergia, Inc.,
KDDI America, Inc., One Source Network and Voicecom Telecommunica-
tions, LLC. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

Request for Attorney General Opinion regarding the Commission's jurisdiction under the Major Oil Pipeline Siting Act, specifically *Neb. Rev. Stat.* 57-1405, as read in conjunction with the definition of "major oil pipeline" at *Neb. Rev. Stat.* sections 57-1404(2); "oil pipeline" at 57-1502(2) and the operation of the Governor's review of a pipeline route under 57-1503(4): Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to request an Attorney General's opinion. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1575 In the Matter of Golden Plains Services, LLC, dba High
Supp. 2 Plains Cab Service, McCook, seeking authority as a common
 carrier in Nebraska intrastate commerce in the transporta-
tion of passengers by taxicab in Scotts Bluff County, and in Scotts
Bluff County, on the one hand, and, on the other hand, points in
Nebraska over irregular routes. RESTRICTION: The transportation of
railroad train crews and their baggage is not authorized. HHS Designa-
tion: Yes: Motion made by Commissioner Jerry Vap, seconded by Commis-
sioner Frank Landis, to enter an order dismissing the application.
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE.

B-1788 In the Matter of Party Express Bus, LLC, Omaha, seeking to
 change the ownership of the certificate holder as follows:
Current ownership: John Kozel, (100%); Proposed ownership: Joel Bis-
gard, (100%): Motion made by Commissioner Tim Schram, seconded by
Commissioner Frank Landis, to enter an order granting the change in
ownership. Motion passed with Commissioners Anne Boyle, Rod Johnson,
Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1846 In the Matter of Jay Johnson, Bertrand, seeking authority
 as a common carrier in Nebraska intrastate commerce in the
transportation of passengers by bus in Phelps, Gosper, Dawson, Fron-
tier, Buffalo, and Harlan counties, on the one hand, and, on the other
hand, points in Nebraska over irregular routes. RESTRICTION: The
transportation of railroad train crews and their baggage is not auth-
orized. HHS Designation: No: 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.

TRANSPORTATION DEPARTMENT (Cont.)

B-1848 In the Matter of Promotion Audio Music Services, York, seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of passengers by bus in York, Fillmore, Hamilton, and Seward counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Rod Johnson, 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.

M-14191 In the Matter of Firefighters on the Move, LLC, Omaha, Supp. 1 seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of household goods between points in Douglas and Sarpy counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-14223 In the Matter of King's Moving, Gretna, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in Dodge, Washington, Sarpy, and Douglas counties, and between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes: Motion made by Commissioner Tim Schram, 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.

Rate Division

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 \$1.16 per mile and the Tariff 22 at \$8.00 per truck per trip.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner 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.

GENERAL ADMINISTRATION (Cont.)

AS Central Services-OCIO	\$	896.17
AS Materiel		911.59
AS Personnel-SOS		1,104.69
University of Nebraska-ARRA Broadband Planning		79,914.29
Sprint Relay		44,977.48
Thomas Reuters		1,135.00

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	667.00
Beltone		2,284.86
Glassman Hearing Aid Technology		284.92
Grand Island Hearing Aid		472.61
Harris Communications		613.00
Hearing Aid Center of Columbus		288.75
Carl A. Johnson		420.34
League of Human Dignity		313.79
Talk To Me Technologies		1,000.00
Teltex, Inc.		3,448.05
U-Save Pharmacy & Medical Supply		228.23
Weitbrecht Communications		156.45

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve Commission minutes for the month of August 2013. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:16 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 September 24, 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 September 23, 2013.

Chair

Executive Director