

Chairman Gerald Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. Chairman Vap 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 February 24, 2015 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held March 3, 2015 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, March 3, 2015:

1:30 Commission Hearing Room, Lincoln  
C-4736 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the statewide Telecommunications Relay System (TRS) to be effective July 1, 2015. Commissioner Tim Schram presiding as Hearing Officer.

Wednesday, March 4, 2015 and Thursday, March 5, 2015:

9:00 Commission Hearing Room, Lincoln  
B-1829 In the Matter of Golden Plains Services Transportation,  
Supp. 1 Inc. dba GPS Transportation, Lincoln, seeking authority to remove and/or amend restrictions. Commissioner Rod Johnson presiding as Hearing Officer.

## COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in February 2015. She reported that there were a total of 53 complaints: 32 - wireline and 21 - wireless. The complaints were categorized as follows: 23 billing, 20 service and 10 miscellaneous issues.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter orders granting applications E-2386 and E-2388. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE:

E-2386 In the Matter of the Application of Southern Public Power District, Grand Island, seeking authority to construct, operate and maintain electric transmission lines in Hall County.

## COMMUNICATIONS DEPARTMENT (Cont.)

- E-2388 In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County.
- C-4734/  
NUSF-101 In the Matter of the Application of Skybeam, LLC Englewood, Colorado, seeking authority for designation as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving Federal Universal Service support to participate in the Federal Communications Commission's (FCC) Rural Broadband Experiment program. Commissioner Frank Landis presiding as Hearing Officer: John Burvainis informed the Commission that a Hearing Officer Order was entered February 26, 2015, continuing the hearing previously scheduled for March 3, 2015 to a date later to be determined.

## TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Sue Vanicek discussed amendments to the Wireless 911-SAM Audit forms: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve amended 911-SAM audit forms. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek informed the Commission that the next Wireless E-911 Advisory Board meeting has been scheduled for April 20, 2015 at 10:00 a.m. at the Ramada Inn, 301 - 2nd Avenue, Kearney.

NUSF-95/  
FC-1361 In the Matter of Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant v. Windstream Nebraska, Inc., Respondent(s): Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving a stipulation agreement and dismissing the complaint. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-92.26 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program; application to the Nebraska Broadband Program received from Great Plains Communications, Inc. Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer Order entered February 25, 2015, granting BWTecom's motion to withdraw formal intervention.

## TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-92.33 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program; Application to the Nebraska Broadband Program received from Pinpoint Wireless d/b/a BLAZE Wireless. Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer Order entered February 25, 2015, granting BWTecom's motion to withdraw formal intervention.

NUSF-92.35 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program; application to the Nebraska Broadband Program received from Raicom, Inc. Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer Order entered February 25, 2015, granting Pinpoint Wireless d/b/a Blaze Wireless motion to withdraw formal intervention.

NUSF-92.38 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program; application to the Nebraska Broadband Program received from N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless. Commissioner Frank Landis presiding as Hearing Officer: Sue Vanicek discussed the Hearing Officer Order entered February 25, 2015, granting BWTelcom's motion to withdraw formal intervention.

NUSF-101/ In the Matter of the Application of Skybeam, LLC, Englewood, Colorado, seeking designation as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving Federal Universal Service Support and to participate in the Federal Communication Commission's (FCC) Rural Broadband Experiment Program: This matter was addressed on the Communications Department's agenda.

Sue Vanicek reported on the National Association of Regulatory Utility Commissioners (NARUC) Winter meetings she attended in Washington, DC from February 14-16, 2015.

## LEGISLATIVE

Angela Melton discussed pending legislation.

## TRANSPORTATION DEPARTMENT

B-1829 In the Matter of Golden Plains Transportation Services, Inc., dba GPS Transportation, Lincoln, Nebraska, seeking to expand its authority as a common carrier of passengers by vans by the removal of its restriction against point-to-point transportation in Lancaster County and by the amendment of language related to the use of sedans by an open class carrier in an area where a taxi authority is operating. The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Mark Breiner informed the Commission that a Hearing Officer order was entered February 24, 2015, sustaining the applicant's motion in limine.

FC-1362 In the Matter of Happy Cab, et.al., vs. Servant Cab dba Yellow Cab Company and Capital Cab Company, Lincoln, Nebraska: Mark Breiner informed the Commission that a Hearing Officer orders were entered March 2, 2015, continuing the hearing previously scheduled for March 11, 2015, to a date later to be determined and sustaining the defendant's motion in limine.

MCC-3188 In the Matter of Mark J. Breiner, Director, Motor Transportation Department, Complainant, vs. Eppley Transportation Services, Ameristar Tours, LLC, Big O's Party Bus, LLC, Caring People Sudan, Denver Coach, Inc., Lawrence Enterprises, Inc., Qualified Developments, Inc., South Sioux Taxi, Teenie Weenie Buses, LLC, Tree City Cab Company, Movers, Inc., Scottsbluff Transfer & Storage, Select Van & Storage Company and Vaughn's Moving Company, Inc., Respondents: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order to show cause and schedule a hearing for April 7, 2015, at 11:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Tim Schram was appointed as Hearing Officer.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish fuel surcharges in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F surcharge was retained at \$.68 cents per mile and the Tariff 22 at \$3.28 per truck per trip.

## GENERAL ADMINISTRATION

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

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GENERAL ADMINISTRATION (Cont.)

Ken Stadler	\$	1,680.00
Kent Pribyl		657.93
Crystal Rhoades		957.45
Tim Schram		664.70
Gerald Vap		551.44

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

A.G.N. Sales	\$	794.79
Audiology & Hearing Center		107.00
Beltone		1,424.60
Complete Hearing Solutions		216.00
Glassman Hearing Aid and Technology		310.20
Professional Hearing Aid Services		252.15
Sprint Communications		199.99
Teltex Inc.		1,411.75
Weitbrecht Communications		329.91
Western Hearing Solutions		348.56

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to authorize Commissioners Crystal Rhoades and Tim Schram to travel to and attend the Advanced Communications Law and Policy Institute AdvancedComm Summit 2015 to be held in New York City, New York, from March 11-13, 2015 with all expenses to be paid by the New York Law School. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to authorize Commissioner Crystal Rhoades to travel to and attend the New Commissioner Regulatory Orientation to be held in Washington, DC, from March 23-24, 2015 with all expenses to be paid by the National Association of Regulatory Utility Commissioners (NARUC). Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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 Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission entered into closed session at 10:11 a.m.

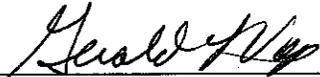
Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to return to open session. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 10:17 a.m.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve a NARUC stipend reimbursement for an employee in the Communications Department. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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The meeting adjourned at 10:18 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held March 10, 2015 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 9, 2015.



Chairman



Executive Director