

Vice Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram present and Commissioner Gerald Vap excused. Vice Chairman Schram 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 July 21, 2015 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held July 28, 2015 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, July 28, 2015:

1:30 Commission Hearing Room, Lincoln
C-4761/ In the Matter of the Nebraska Public Service Commission
DC-87 regarding the 2014 Annual Report Filings. Commissioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4768 In the Matter of the Joint Application of Onvoy, LLC, Plymouth, Minnesota, the Broadvox Holding Company, LLC and Broadvox-CLEC, LLC, Cleveland, Ohio, seeking approval of this transfer of control of Broadvox-CLEC, LLC to Onvoy, LLC: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

C-4765 In the Matter of the Application of United Telephone Company of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an ICC VoIP and VNXX Amendment to the Interconnection Agreement with Level 3 Communications, LLC, Broomfield, Colorado, previously approved in Docket C-3715: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order approving the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

E-2403 In the Matter of the Application of Norris Public Power District, Beatrice, seeking authority to construct, operate and maintain an electric transmission line in Gage County: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an order granting the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand discussed Auto Dialer Complaints: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, that complaints be opened against Gravis Marketing, Inc. and Victory Enterprises, Inc. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-92/ P.O. #4 In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Nebraska Universal Service Fund Broadband Program. Commissioner Frank Landis presiding as Hearing Officer: Jamie Reyes discussed the Hearing Officer Order entered July 22, 2015, continuing the workshop previously scheduled for July 22, 2015 to August 26, 2015 at 10:00 a.m. in the Niobrara Conference Room, Lincoln.

NUSF-92.32 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 Communications, Inc. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order withdrawing the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

NATURAL GAS DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Assessments BE-003 and BE-004 in Docket NG-0074.1 and Assessment BE-005 in Docket NG-0078.1. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting. Commissioner Tim Schram presiding as Hearing Officer:

NG-0074.1 BE-003 BE-004 In the Matter of Black Hills/Nebraska Gas Utility Company, LLC d/b/a Black Hills Energy, Omaha, 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.

NG-0078.1 BE-005 In the Matter of the Application of SourceGas Distribution LLC, Golden, Colorado, seeking authority to put into effect a System Safety and Integrity Rider Tariff and Safety and Integrity Rider Charge for recovery of 2015 Eligible Costs. Commissioner Rod Johnson presiding as Hearing Officer.

TRANSPORTATION DEPARTMENT

B-1853 In the Matter of Care and Mobility, Inc., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by handicapped-accessible van over irregular routes in Douglas and Sarpy counties, Nebraska. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Clientele is limited to wheelchair accessible vans to those eligible for the Medicaid waiver for non-emergency transportation. HHS Designation: Yes: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an order dismissing the application. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter orders granting application on an emergency basis in Dockets BR-487 and LR-346. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

BR-487 In the Matter of Larry Schmidt d/b/a Your Own Limousine, Kearney, seeking authority to amend its rates and charges.

LR-346 In the Matter of Larry Schmidt d/b/a Your Own Limousine, Kearney, seeking authority to amend its rates and charges.

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 7-F surcharge was retained at \$0.60 per mile and the Tariff 22 fuel surcharge at \$2.40 per truck per trip.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order opening Dockets RVF-9, MODF-9 and MANF-8 and scheduling a hearing on September 2, 2015 at 10:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting. Commissioner Tim Schram was appointed as Hearing Officer.

RVF-9 In the Matter of the Commission, on its own motion, seeking to determine the fees for the Recreational Vehicle Program.

MODF-9 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Modular Housing Program.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT (Cont.)

MANF-8 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Manufactured Home Program.

MAN-1/
DC-88 In the Matter of the Complaint of Mark Luttich, Director of the Nebraska Public Service Commission Housing and Recreational Vehicle Department, Complainant, vs. Champion Home Builders, Inc., York, Nebraska, Respondent: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to authorize entry of a notice of preliminary determination. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting. Commissioner Rod Johnson was appointed as Hearing Officer.

Mark Luttich informed the Commission that a workshop of the industry has been scheduled for September 2, 2015 at 1:30 p.m. in the Commission Hearing Room, Lincoln: The workshop will discuss the state of the housing and RV industry in Nebraska.

GENERAL ADMINISTRATION

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

AS Central Services-Network Services	\$	3,613.59
AS Central Services-Personnel		500.00
Sprint Relay		29,976.03
Gene Hand		1,224.34

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alternative Hearing	\$	276.46
Beltone		623.54
Grand Island Hearing Aid Center		205.33
Harris Communications		190.85
Carl A. Johnson		294.54
Carl A. Johnson		532.93
Professional Hearing Aid Services		826.96
Professional Hearing Aid Services		197.09
Teltex		2,866.40
Weitbrecht Communications		268.70
Western Hearing Solutions		529.22

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, 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 and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to authorize Commissioner Crystal Rhoades to travel to and attend the CTIA Super Mobility Conference to be held in Las Vegas, Nevada, from September 9-11, 2015 with some expenses to be reimbursed by CTIA. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to go into closed session to discuss personnel issues. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting. The Commission entered into closed session at 10:21 a.m.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to approve the Executive Director's recommendation to return to open session. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting. The Commission returned to open session at 10:27 a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to rescind the resignation of an employee in the General Administration Department effective July 31, 2015 and to allow an employee in the General Administration Department to move from full time to part time employment effective August 1, 2015. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioner Jerry Vap excused not voting.

The meeting adjourned at 10:29 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram present and Commissioner Gerald Vap excused. The next regularly scheduled meeting will be held August 4, 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 August 3, 2015.


Vice Chairman


Executive Director

