

# Agency 14 - Public Service Commission

## Statutory Authority:

The State Railway Commission was established by constitutional amendment in 1906. The scope of authority and organization are contained in Article IV, Section 20, and Article X, Sections 1-8 of the Nebraska Constitution, as well as Chapters 71, 75, 86, 88 and 89 of the Nebraska Revised Statutes 1943. The agency name was changed in 1972 to the Public Service Commission. A complete set of the current rules and regulations is on file with the Revisor of Regulations.

## Vision Statement:

The vision of the Public Service Commission is for Nebraska citizens to be provided safe and affordable services in the areas under Public Service Commission jurisdiction.

## Mission Statement:

## Goals:

The goals of the Public Service Commission are to execute its constitutional and statutory duties in a consistent, professional and forthright manner at the least cost and for the greatest benefit to the State of Nebraska.

## Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recorm FY06	Request FY07	Recorm FY07
General Fund	2,065,707	2,184,286	2,241,320	2,232,948	2,275,141	2,291,945
Cash Fund	71,007,128	90,061,012	88,768,037	88,535,257	92,658,065	92,469,708
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total Agency</b>	<b>73,072,835</b>	<b>92,245,298</b>	<b>91,009,357</b>	<b>90,768,205</b>	<b>94,933,206</b>	<b>94,761,653</b>

## Agency 14 - Public Service Commission Program 014 - Commissioner's Salaries

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### Program Objectives:

This program includes only the personal service expenditures for the five elected Public Service Commissioners. LB 956, approved in the second session of the Ninety-Sixth Legislature, amended the statutes to raise the annual salary of each Commissioner to \$50,000 annually commencing January 9, 2003.

### Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	321,785	326,295	329,967	329,242	329,967	333,767
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>321,785</b>	<b>326,295</b>	<b>329,967</b>	<b>329,242</b>	<b>329,967</b>	<b>333,767</b>

### Performance Measures:

## Agency 14 - Public Service Commission Program 016 - Commissioner's Expenses

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**Program Objectives:**

This program was created and begun during the 1976-77 fiscal year and contains "expense voucher" costs incurred by the five Public Service Commissioners.

**Financial Data:**

	<u>Actual FY04</u>	<u>Approp FY06</u>	<u>Request FY06</u>	<u>Recom FY06</u>	<u>Request FY07</u>	<u>Recom FY07</u>
General Fund	38,617	47,817	48,814	46,148	60,723	46,106
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>38,617</b>	<b>47,817</b>	<b>48,814</b>	<b>46,148</b>	<b>60,723</b>	<b>46,106</b>

**Performance Measures:**

## Agency 14 - Public Service Commission Program 019 - Modular Housing Units Program

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### Program Objectives:

The department intends to continue to protect the health and safety of those that live in or use manufactured homes, modular housing units and recreational vehicles but without placing unnecessary burdens upon the manufacturers. In addition, when such occasions arise, the department will continue to educate the public in the use of such products and promote state and local agreements for interstate shipment of these products. This will further the acceptance and use of these products, therefore increasing these products rate of manufacturing, creating more jobs for Nebraskans.

### Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	509,910	634,719	612,845	629,547	620,584	655,444
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>509,910</b>	<b>634,719</b>	<b>612,845</b>	<b>629,547</b>	<b>620,584</b>	<b>655,444</b>

### Performance Measures:

All three (3) of these products monitored by the department are produced in Nebraska. However, many more are produced in Nebraska than can be absorbed by Nebraskans. A majority of their products are sold in other states. Significant attention is therefore placed upon the department's capabilities to not only enforce the manufacturer's compliance to the construction codes, but to also develop inspection agreements with other states and local communities so that the Nebraska products can ship across state lines with a minimum of additional expenses to the manufacturers.

The department's goal is to continue assisting in developing market areas for these products without sacrificing consumer protection. This is accomplished by continuing the training of divisional staff, keeping manufacturers abreast of construction code changes, following up on market area requests for these products and maintaining the state's low level of consumer complaints.

## Agency 14 - Public Service Commission Program 054 - Enforcemnt Of Standards-public Utility

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### Program Objectives:

The Commission regulates market entry and service of the following industries: grain warehouses and grain dealers; household goods movers and passenger transportation carriers (including rate regulation); and telecommunications and automatic dialing and announcing devices.

In conjunction with such regulation, the Commission receives and investigates consumer complaints, informal and formal. Its assistance of telecommunications consumers includes consumers of wireless service.

Additionally, the Commission has regulatory authority over the placement of electrical transmission lines; gas pipeline placement; grain moisture meters; manufactured homes; private water company rates; and railroad locomotive and track safety.

### Financial Data:

	<b>Actual FY04</b>	<b>Approp FY05</b>	<b>Request FY06</b>	<b>Recom FY06</b>	<b>Request FY07</b>	<b>Recom FY07</b>
<b>General Fund</b>	1,621,851	1,810,174	1,862,539	1,857,558	1,894,451	1,912,073
<b>Cash Fund</b>	0	0	0	0	0	0
<b>Federal Fund</b>	0	0	0	0	0	0
<b>Revolving Fund</b>	0	0	0	0	0	0
<b>Other Fund</b>	0	0	0	0	0	0
<b>Total</b>	1,621,851	1,810,174	1,862,539	1,857,558	1,894,451	1,912,073

### Performance Measures:

## Agency 14 - Public Service Commission Program 060 - Grain Warehousing

### Program Objectives:

This program is comprised of the Grain Warehouse Surveillance Cash Fund, the Moisture Testing Program, and the Grain Warehouse Auditing Cash Fund. The Grain Warehouse Surveillance Cash Fund was established by the Legislature on July 1, 1984, to be used by the Commission to pay for expenses in the closing of a grain warehouse. The Moisture Testing Program is responsible for inspecting every moisture meter used in the state to determine the moisture content of grain delivered for sale. The Grain Warehouse Auditing Cash Fund was established in February of 1997 to offset costs and purchase necessary equipment in the performance of soybean check-off audits for the Nebraska Soybean Board.

### Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	26,818	35,772	27,802	27,999	40,132	40,532
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>26,818</b>	<b>35,772</b>	<b>27,802</b>	<b>27,999</b>	<b>40,132</b>	<b>40,532</b>

### Performance Measures:

#### GRAIN WAREHOUSE SURVEILLANCE CASH FUND

PERFORMANCE MEASURES: The Commission uses this fund to pay operating expenses and salaries when it becomes necessary to liquidate grain inventories at insolvent grain warehouses.

#### GRAIN WAREHOUSE AUDITING CASH FUND

PERFORMANCE MEASURES: Our goal is to complete as many audits as the Soybean Board requests us to do in the course of a year's time provided it does not interfere with our examination schedule of grain warehouses.

#### MOISTURE TESTING PROGRAM

PERFORMANCE MEASURES: Performance is based on how many meters are rejected over the course of a year. By working with manufacturers and analyzing laboratory findings, the Commission's goal is to have an accurate meter at each testing location that will be within one-half percent plus or minus tolerance of our meters.

# Agency 14 - Public Service Commission

## Program 064 - Nebraska Telephone Relay System Fund

### Program Objectives:

Assure that persons with hearing and/or speech impairments are able to communicate just as individuals without such impairments using the Nebraska Relay System.

#### Action Plans:

- 1) Evaluate the quality of the Nebraska Relay System using requirements set up by the Commission and the Federal Communications Commission (FCC).
- 2) Meet with the Relay Advisory Committee and the Nebraska Commission for the Deaf and Hard of Hearing and respond to any customer complaints about the relay system.
- 3) Assure that eligible individuals have access to equipment to be able to communicate using TTY's, amplifiers, etc.
- 4) Assure that billings and performance measurements for the service are in compliance with the contract for this service.

### Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	1,261,627	1,494,748	1,674,161	1,676,659	1,943,793	1,949,232
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>1,261,627</b>	<b>1,494,748</b>	<b>1,674,161</b>	<b>1,676,659</b>	<b>1,943,793</b>	<b>1,949,232</b>

### Performance Measures:

- 1) Audits of the Nebraska Relay System and consultation with the FCC have shown that the system has met or exceeded all of the performance measures required by the Commission and the FCC.
- 2) Advisory meetings have been held at least twice a year with members to discuss the relay and respond to any concerns brought to their attention by the hearing impaired community. Continual contact is maintained with the Commission for the Deaf and Hard of Hearing to monitor their concerns with the relay.
- 3) An equipment distribution program was instituted in April of 1996 to provide financial assistance to eligible individuals for their purchase of specialized telecommunications equipment. The following statistics include:

	1999-00	2000-01	2001-02	2002-03	2003-04
Households Served	275	340	444	585	762

- 4) Review of the monthly billings and performance measurements is performed by staff to assure that contractual terms and rates are being met.

## Agency 14 - Public Service Commission Program 071 - Nebraska Internet Enhancement Fund

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### Program Objectives:

This program provides financial assistance to counties and municipalities for the installation and delivery of broadband or other advanced telecommunications services.

### Action Plans:

- 1) Review applications for grant due November 15, 2004, and award/distribute funds.

### Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	6,297	409,873	383,000	383,165	383,000	383,367
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	6,297	409,873	383,000	383,165	383,000	383,367

### Performance Measures:

- 1) A grant period was opened on June 1, 2004 for preapplications from approved preapplicants with a scheduled due date for submission on November 15, 2004. The Commission expects to award grants in January 2005.

## Agency 14 - Public Service Commission Program 212 - Nebr Competitive Tele Marketplace

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### Program Objectives:

This program monitors the competitive performance of a regional bell operating company.

### Action Plans:

- 1) Monitor compliance with section 271 of the federal Telecommunications Act of 1996.
- 2) Consult with the Federal Communications Commission regarding the regional bell operating company in Nebraska.

### Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	2,868	100,000	100,000	100,000	100,000	100,000
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>2,868</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>

### Performance Measures:

## Agency 14 - Public Service Commission Program 583 - Enhanced Wireless 911 Fund

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**Program Objectives:**

The purpose of this program is to provide enhanced wireless 911 service throughout the State of Nebraska.

**Financial Data:**

	<u>Actual FY04</u>	<u>Approp FY05</u>	<u>Request FY06</u>	<u>Recom FY06</u>	<u>Request FY07</u>	<u>Recom FY07</u>
General Fund	0	0	0	0	0	0
Cash Fund	3,423,208	4,703,808	5,100,000	5,104,430	5,700,000	5,709,008
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>3,423,208</b>	<b>4,703,808</b>	<b>5,100,000</b>	<b>5,104,430</b>	<b>5,700,000</b>	<b>5,709,008</b>

**Performance Measures:**

## Agency 14 - Public Service Commission Program 686 - Ne Telecomm. Universal Service Fund

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### Program Objectives:

In 1997, the Legislature passed LB 686, authorizing the Commission to create the Nebraska Universal Service Fund (NUSF). The goals of the NUSF are, in conjunction with federal universal service funds, to:

- 1) Ensure that telecommunication and information services and prices are reasonably comparable between rural and urban areas;
- 2) Ensure that telecommunication and information services are offered at affordable prices;
- 3) Ensure that all providers of telecommunications services make equitable and nondiscriminatory contributions to universal service, and;
- 4) Ensure that any universal service mechanisms are specific, predictable, sufficient and competitively neutral.

### Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	65,473,982	81,563,373	79,608,809	79,622,561	82,608,195	82,837,521
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	65,473,982	81,563,373	79,608,809	79,622,561	82,608,195	82,637,521

### Performance Measures:

## Agency 14 - Public Service Commission Program 790 - Natural Gas Regulation

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### Program Objectives:

The Natural Gas Department is responsible for assisting the Commission in carrying out its statutory duties to regulate jurisdictional natural gas utilities, including, but not limited to, the provision of adequate, efficient, and reasonable natural gas service at just and reasonable rates. Included in this program is the Municipal Rate Negotiations Revolving Loan Fund, which shall be utilized to make loans to cities to finance negotiations of rate proceedings. In addition, the office of the Public Advocate is charged with the responsibility of representing residential and small commercial customers in matters involving jurisdictional utilities.

### Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recorm FY06	Request FY07	Recorm FY07
General Fund	83,454	0	0	0	0	0
Cash Fund	302,418	1,118,719	1,261,420	990,896	1,262,361	994,604
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>385,872</b>	<b>1,118,719</b>	<b>1,261,420</b>	<b>990,896</b>	<b>1,262,361</b>	<b>994,604</b>

### Performance Measures: