

Nebraska Public Service Commission

COMMISSIONERS:
ROD JOHNSON
FRANK E. LANDIS
CRYSTAL RHOADES
MARY RIDDER
TIM SCHRAM



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1-800-526-0017

EXECUTIVE DIRECTOR:
MICHAEL G. HYBL

September 27, 2017

To All Interested Parties:

RE: RULE AND REGULATION #192: In the Matter of the Commission, on its own Motion, seeking to amend Title 291, Chapter 1, Rules and Commission Procedure, to update the chapter in its entirety.

CERTIFICATION

I, Mike Hybl, Executive Director of the Nebraska Public Service Commission, hereby certify that the enclosed is a true and correct copy of the original order made and entered in the proceeding docketed as Rule and Regulation No. 192, on the 26th day of September, 2017, is enclosed. The original order is filed and recorded in the official records of the Commission.

Please direct any questions concerning this order to Shana Knutson, Legal Counsel, at 402-471-3101.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Nebraska Public Service Commission, Lincoln, Nebraska, this 27th day of September, 2017.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Hybl".

Mike Hybl
Executive Director

MH:bz

Enclosure

cc: Distribution Lists
Bess Boesiger, Secretary of State's Office, Room #2300, Nebraska State Capitol
Erin Northwall, Governor's Policy Research Office, Room #1319, Nebraska State Capitol
Senator Dan Watermeier, Chairman, Executive Board, District #1, Nebraska State Capitol

RECREATIONAL VEHICLE LIST

9/25/2017

Name	Mailing Address	City	State	Zip+4
CROSS ROADS	1115 WEST LAKE STREET	TOPEKA	IN	46571
CROSS ROADS (#5)	305 HAWPATCH DRIVE	TOPEKA	IN	46571
CRUISER RV CORP	7805 STATE ROAD #9	HOWE	IN	46746
DOUBLETREE RV	1000 INTERCHANGE DRIVE	HOWE	IN	46746
DUTCHMFN - DON RATTLES	P.O. BOX 2164	GOSHEN	IN	46527
EVERGREEN RV	P.O. BOX 52	MIDDLEBURY	IN	46540
FLEETWOOD MH OF IN (44)	1031 US 224 EAST	DECATUR	IN	46733
FOREST RIVER (27)	P.O. BOX 3030	ELKHART	IN	46515
FOREST RIVER (VANGRD)(PALOMINO)	1047 EAST M-86 WEST	COLON	MI	49040
HEARTLAND RV	2831 DEXTER DRIVE	ELKHART	IN	64514
JAYCO	903 SOUTH MAIN ST.	MIDDLEBURY	IN	46540
KEYSTONE RV COMPANY	P O BOX 2000	GOSHEN	IN	46527
K-Z	0985 NORTH 900 WEST	SHIPSHEWANA	IN	46565
LANCE CAMPER	43120 VENTURE STREET	LANCASTER	CA	93535
NEWMAR	355 NORTH DELAWARE ST.	NAPPANEE	IN	46550
HIGHLAND RIDGE / OPEN RANGE RV	3195 NORTH SR 5	SHIPSHEWANA	IN	46565
ROADTREK / HOME & PARK MOTORHOMES	100 SHIRLEY AVENUE	KITCHENER / ONTARIO	CN	N2B 2E1
TIFFIN MOTOR HOMES	P O BOX 596	RED BAY	AL	35582
SKYLINE RV	2520 BYPASS ROAD	ELKHART	IN	46514
THOR MOTOR COACH	P O BOX 1486	ELKHART	IN	46515
SUNNYBROOK, R.V.	201 14TH STREET	MIDDLEBURY	IN	46540
WINNEBAGO	605 WEST CRYSTAL LAKE	FOREST CITY	IA	50436
T.R. ARNOLD & ASSOCIATES	700 EAST BEARDSLEY AVENUE	ELKHART	IN	46515
RVIA ATTN: BRUCE HOPKINS	1178 FREMONT COURT SUITE #2	ELKHART	IN	46516
RVIA ATTN: KENT PERKINS	P.O. BOX 2999	RESTON	VA	20195
A C NELSEN CAMPER WORLD	11818 "L" STREET	OMAHA	NE	68137
APACHE CAMPER	115 EAST 1ST STREET	KEARNEY	NE	68847
APACHE CAMPER	1040 SALTILLO ROAD	ROCA NE 68430	NE	68430
APACHE CAMPERS	1120 FORT CROOK ROAD S	BELLEVUE	NE	68005
BILL GOEDEKEN TRAILERS	4460 A ROAD	COLUMBUS	NE	68601
DARREL TRAILERS	621 EAST DOUGLAS STREET	O'NEIL	NE	68763
DRV	0160 WEST 750 NORTH	HOWE	IN	46746
DUBA TRAILER CUSTOMIZING	P O BOX 220	CHAMBERS	NE	68725
EAGLE CREST HOMES	2318 KENT AVENUE	GRAND ISLAND	NE	68803
HASTINGS MOTOR SALES	909 WEST J STREET	HASTINGS	NE	68901
JERRYS TRAILERS	2601 SOUTH 13TH STREET	NORFOLK	NE	68701
KOHLES CAMPERS	109 GREENE	STUART	NE	68780
LARRYS RV SALES	P O BOX 84	NORTH PLATE	NE	69101
LEACH CAMPERS	2727 CORNHUSKER HWY	LINCOLN	NE	68504
MADDOX MOTORS	564 GLOVER ROAD	SIDNEY	NE	69162
MASON MOTORS	318 EAST 25TH STREET	KEARNEY	NE	68847
MEYER AUTOMOTIVE	P O BOX 422	SEWARD	NE	68434
MOUNTAIN HOME RV	P O BOX 377	VALLEY	NE	68064
RICH & SONS CAMPER SALES	5112 SOUTH ANTELOPE DRIVE	GRAND ISLAND	NE	68803
RVS 4 U	1501 WEST 27TH	SCOTTSBLUFF	NE	69361
V-BAR TRAILERS	1710 SOUTH EAST STREET	BROKEN BOW	NE	68822
WOOLWORTH RV	2405 HWY 77 BYPASS	SOUTH SIOUX CITY	NE	68776
MONTE GLASER - JERRYS TRAILERS	2601 SOUTH 13TH STREET	NORFOLK	NE	68701
DAVE QUEEN - CAMP-A-WAY	200 CAMPERS CIRCLE	LINCOLN	NE	68521
ROD LAUCOMER	11201 SOUTH 98TH STREET	LINCOLN	NE	68526

MODULAR LIST

9/25/2017

Name	Mailing Address	City	State	Zip+4
CHIEF / BONNAVILLA HOMES	P O BOX 127	AURORA	NE	68818
CHAMPION HOME BUILDERS	P O BOX 585	YORK	NE	68467
CHAMPION HOME BUILDERS	1660 ROWE AVENUE	WORTHINGTON	MN	56187
CLAYTON HOMES	201 INDUSTRIAL DRIVE	REDWOOD FALLS	MN	56283
CMH MANUFACTURING	437 NORTH MAIN STREET	MIDDLEBURY	IN	46540
COMMODORE CORPORATION	1423 LINCOLNWAY EAST	GOSHEN	IN	46527
CUSTOM TOUCH HOMES	P O BOX 530	MADISON	SD	57042
DESIGN HOMES	600 NORTH MARQUETTE ROAD	PRAIRIE DU CHIEN	WI	53821
FAIRMONT HOMES	502 SOUTH OAKLAND AVENUE	NAPPANEE	IN	46550
FAMILY BUILT HOMES	982 RUNDELL ROAD	GERING	NE	69341
FRIENDSHIP HOMES	815 BUDD ROAD	MONTEVIDEO	MN	56265
GUERDON HOMES	5556 SOUTH FEDERAL WAY	BOISE	ID	83716
HERITAGE HOMES	P O BOX 37	WAYNE	NE	68787
KARSTEN HOMES	2700 KARSTEN COURT SE	ALBUQUERQUE	NM	87102
OAK VALLEY LUMBER	P O BOX 157	VALPARAISO	NE	68065
PRAIRIE GOLD HOMES/BAR-NONE HSG	1230 O STREET SUITE 240 COMMERCE COURT	LINCOLN	NE	68508
QUALITY HOMES	P O BOX 8	SUMMERFIELD	KS	66541
REDMAN HOMES	308 SHERIDAN AVENUE	TOPEKA	IN	46571
STRATFORD HOMES	P O BOX 37	STRATFORD	WI	54484
VANTAGE POINTE HOMES	1000 WEST ROKEBY ROAD	LINCOLN	NE	68523
WARDCRAFT HOMES	P O BOX 267	MINDEN	NE	68959
WARDCRAFT HOMES	P O BOX 55	CLAY CENTER	KS	67432
WISCONSIN HOMES	425 WEST MCMILLAN STREET	MARSHFIELD	WI	54449
CADDI SHACK HOMES	P O BOX 480	OGALLALA	NE	69153
COUNTRY LIVING HOMES	6602 HWY 75	MURRAY	NE	68409
HARVEST HOMES	6939 L STREET	OMAHA	NE	68117
HEART CITY HOMES	P O BOX 537	VALENTINE	NE	69201
HENRY STAHLA MOBILE HOMES	P O BOX 601	KIMBALL	NE	69145
HIGH QUALITY HOUSING	4020 W STOLLEY PARK ROAD	GRAND ISLAND	NE	68803
HINNS MOBILE HOMES	813 W 4TH STREET	CHADRON	NE	69337
HINNS MOBILE HOMES	2300 14TH AVENUE	SCOTTSBLUFF	NE	69381
HINNS MOBILE HOMES	P O BOX 302	RUSHVILLE	NE	69360
HOYLE NORTH 77 MOBILE HOMES	3800 NORTH 6TH	BEATRICE	NE	68310
ISEMAN HOMES	2000 E HWY 30	KEARNEY	NE	68848
LONNIES TRAILERS SALES	520 WEST 16TH STREET	SCHUYLER	NE	68661
LT MANUFACTURED HOMES	718 SOUTH LINCOLN AVENUE	YORK	NE	68467
NU-TREND MOBILE HOMES	6306 L STREET	OMAHA	NE	68117
SEARS HOMES	2640 WEST "O" STREET	LINCOLN	NE	68528
SIouxLAND ESTATES	1520 ATOKAD DRIVE #100	SOUTH SIOUX CITY	NE	68776
STAHLA MOBILE HOMES	4407 WEST NORFOLK AVENUE	NORFOLK	NE	68701
SWANSON MOBILE HOMES	4400 RODEO ROAD	NORTH PLATTE	NE	69101
T.R. ARNOLD & ASSOCIATES	4703 CHESTER DRIVE	ELKHART	IN	46515
NTA	P O BOX 490	NAPPANEE	IN	46550
PFS CORPORATION	1507 MATTS PASS	COTTAGE GROVE	WI	53527
RADCO	3220 EAST 59TH STREET	LONG BEACH	CA	90805
MARTIN HUFF NEBR.MFG. HSG ASSOC.	P O BOX 22097	LINCOLN	NE	68542
CRAIG LEWIS CITY OF GRAND ISLAND	P O BOX 1988	GRAND ISLAND	NE	68802
ROD LAUCOMER	11201 SOUTH 98TH STREET	LINCOLN	NE	68526

MANUFACTURED LIST

9/25/2017

Name	Mailing Address	City	State	Zip+4
CHIEF / BONNVILLA HOMES	P O BOX 127	AURORA	NE	68818
CHAMPION HOMES	P O BOX 585	YORK	NE	68467
CADDI SHACK HOMES	P O BOX 480	OGALLALA	NE	69153
COUNTRY LIVING HOMES	6602 HWY 75	MURRAY	NE	68409
GRACE HOMES	2900 GRAND AVENUE #384	KEARNEY	NE	68847
HARVESI HOMES	6939 L STREET	OMAHA	NE	68117
HEART CITY HOMES	P O BOX 537	VALENTINE	NE	69201
HENRY STAHLA MOBILE HOMES	P O BOX 601	KIMBALL	NE	69145
HIGH QUALITY HOUSING	4020 W STOLLEY PARK ROAD	GRAND ISLAND	NE	68803
HINNS MOBILE HOMES	813 W 4TH STREET	CHADRON	NE	69337
HINNS MOBILE HOMES	2300 14TH AVENUE	SCOTTSBLUFF	NE	69361
HINNS MOBILE HOMES	P O BOX 302	RUSHVILLE	NE	69360
HOYLE NORTH 77 MOBILE HOMES	3800 NORTH 6TH	BEATRICE	NE	68310
ISEMAN HOMES	2000 E HWY 30	KEARNEY	NE	68848
LONNIES TRAILERS SALES	520 WEST 16TH STREET	SCHUYLER	NE	68661
LT MANUFACTURED HOMES	718 SOUTH LINCOLN AVENUE	YORK	NE	68467
NU-TREND MOBILE HOMES	6306 L STREET	OMAHA	NE	68117
PARK E-Z MOBILE HOMES	1717 5TH CORSO	NEBRASKA CITY	NE	68410
ROBBS TRUCK SALES	2811 SOUTH LOCUST	GRAND ISLAND	NE	68801
SEARS HOMES	2640 WEST "O" STREET	LINCOLN	NE	68528
SIouxLAND ESTATES	1520 ATOKAD DRIVE #100	SOUTH SIOUX CITY	NE	68776
SWANSON MOBILE HOMES	4400 RODEO ROAD	NORTH PLATTE	NE	69101
MARTIN HUFF NEBR.MFG. HSG ASSOC.	P O BOX 22097	LINCOLN	NE	68542
TIM POWERS CONTEMPO LINCOLN	3601 NORTH 1ST STREET	LINCOLN	NE	68521
DAVE QUEEN CAMP-A-WAY	200 CAMPERS CIRCLE	LINCOLN	NE	68521
ROD LAUCOMER	11201 SOUTH 98TH STREET	LINCOLN	NE	68526

GRAIN WAREHOUSE AND GRAIN DEALERS

	COMPANY	ADDRESS	ADDRESS 2	CITY	STATE	ZIP	ZIP 2
1	ADM GRAIN CO	ATTN LAUREN KIERRE	8000 W 110TH ST SUITE 220	OVERLAND PARK	KS	66210	2315
2	AG PARTNERS COOPERATIVE, INC.	708 S 10TH		HIAWATHA	KS	66434	8500
3	AG VALLEY COOP NS	PO BOX 68		EDISON	NE	68936	0068
4	AGFINITY INC	P O BOX 338		EATON	CO	80615	
5	AGMARK LLC	JEFF BECHARD	PO BOX 444	BELOIT	KS	67420	0444
6	AGP GRAIN MARKETING LLC	PO BOX 2047		OMAHA	NE	68103	2047
7	AGREX INC	10975 GRANDVIEW DR BLDG 27-200		OVERLAND PARK	KS	66213	
8	AMERICAN POP CORN COMPANY	PO BOX 178		SIOUX CITY	IA	51102	
9	AURORA COOP ELEVATOR CO	2225 Q STREET		AURORA	NE	68818	
10	BANCROFT GRAIN LLC	PO BOX 305		BANCROFT	NE	68004	0305
11	BARTLETT GRAIN COMPANY LP	4900 MAIN ST SUITE 1200		KANSAS CITY	MO	64112	
12	BATTLE CREEK FARMERS COOP	PO BOX 10		BATTLE CREEK	NE	68715	0010
13	BAUER ELEVATOR INC	56182 SHOLES DR		RANDOLPH	NE	68771	
14	BEEEMER GRAIN LLC	PO BOX 190		BEEEMER	NE	68716	0190
15	BELDEN GRAIN & FEED INC	PO BOX 66		BELDEN	NE	68717	0066
16	BOSSEN LIVESTOCK CO	PO BOX 185		ARCADIA	NE	68805	0185
17	BRUNING GRAIN & FEED CO INC	PO BOX 67		BRUNING	NE	68322	0067
18	BUTTE FARM SUPPLY INC	PO BOX 257		BUTTE	NE	68722	0257
19	CARGILL INCORPORATED	ATTN: MARY TOZER	PO BOX 5606	MINNEAPOLIS	MN	55440	5606
20	CARROLL FEED & GRAIN CO	PO BOX 204		CARROLL	NE	68723	0204
21	CENTRAL VALLEY AG COOPERATIVE	Box 429		YORK	NE	68467	
22	CHS INC	5500 CENEX DRIVE	JODI MONTGOMERY MS 370	INVERGROVE HTS	MN	55077	
23	CLARK GRAIN CO	PO BOX 218	1ST & MAIN ST	JOHNSON	NE	68378	0218
24	CLARK SPECIALTY GRAINS LLC	22530 SOUTH BANNER ROAD		GOTHENBURG	NE	69138	
25	CLARKSON GRAIN COMPANY	PO BOX 80		CERRO GORDO	IL	61818	0080
26	COLON ELEVATOR CO	PO BOX 36		COLON	NE	68018	0036
27	COLORADO AGRI PRODUCTS LLC	PO BOX 1846		STERLING	CO	80751	
28	COMMODITY SOLUTIONS INC	3202 KOENIGSTEIN		NORFOLK	NE	68701	
29	CONSOLIDATED GRAIN AND BARGE CO	10650 MILL ROAD		MOUNT CARROLL	IL	61053	
30	COOPERATIVE PRODUCERS INC	PO BOX 1008		HASTINGS	NE	68902	1008
31	COOPERATIVE SUPPLY INC	PO BOX 278		DODGE	NE	68633	0278
32	COUNTRY PARTNERS COOPERATIVE	PO BOX 80		GOTHENBURG	NE	69138	0080
33	CROFTON ELEVATOR INC	PO BOX 155		CROFTON	NE	68730	0155
34	CROSSROADS COOP ASSN	PO BOX 153		SIDNEY	NE	69162	0153
35	DAN HASTINGS	410 SE RD		GILTNER	NE	68841	
36	DANIEL KRAFKA	330 40TH RD		BELLWOOD	NE	68624	
37	DAWSON AG CENTER	PO BOX 38		DAWSON	NE	68337	0038
38	DENNIS COMMODITIES LLC	49574 871 RD		O'NEILL	NE	68763	
39	DIXON ELEVATOR CO	PO BOX 8		DIXON	NE	68732	0008
40	ELYS INC	PO BOX 185		GUIDE ROCK	NE	68942	0185
41	FARMERS COOP	325 W 1ST STREET		PILGER	NE	68768	0326
42	FARMERS COOP ASSN	PO BOX 38		LINDSAY	NE	68644	0038
43	FARMERS COOP ASSN	PO BOX 69		CEDAR BLUFFS	NE	68015	0069
44	FARMERS COOP CO	PO BOX 226		TALMAGE	NE	68448	0226
45	FARMERS COOP ELEVATOR CO	PO BOX 155	317 OSBORN ST	HEMINGFORD	NE	69348	0155
46	FARMERS COOP GRAIN & SUPPLY CO	PO BOX 337		TRENTON	NE	69044	0337
47	FARMERS COOPERATIVE	ATTN: DALE HAYEK	PO BOX 263	DORCHESTER	NE	68343	0263
48	FARMERS UNION COOP ASSN	PO BOX 68		LYNCH	NE	68746	0068
49	FARMERS UNION COOP ASSN	PO BOX 499		GRETNA	NE	68028	0499
50	FARMERS UNION COOP CO	508 N PARK ST		SPENCER	NE	68777	
51	FARMERS UNION COOP CO	PO BOX 135		FRIEND	NE	68359	0135
52	FARMERS UNION COOP SUPPLY CO	PO BOX 276		CLARKSON	NE	68629	0276
53	FARMERS/RANCHERS COOP ASSN	224 SOUTH MAIN		AINSWORTH	NE	69210	1358
54	FBN CM LLC	388 EL CAMINO REAL		SAN CARLOS	CA	94070	
55	FC STONE MERCHANT SERVICES LLC	2829 WESTOWN PARKWAY SUITE 100		WEST DES MOINES	IA	50266	
56	FLINT HILLS RESOURCES GRAIN LLC	ATTN: TAX SERVICES	P O BOX 3755	WICHITA	KS	67201	
57	FORDYCE FARMERS N/S COOP	PO BOX 187		FORDYCE	NE	68736	0187
58	FRENCHMAN VALLEY FARMERS COOP INC	PO BOX 578		IMPERIAL	NE	69033	0578
59	FRONTIER AG INC	ATTN: BRAD COWAN	PO BOX 998	GOODLAND	KS	67735	0998
60	FRONTIER COOP CO	PO BOX 37		BRAINARD	NE	68626	0037
61	GARRYS FARM SERVICE INC	88111 545 AVE		BLOOMFIELD	NE	68718	4034
62	GAVILON GRAIN LLC	1331 CAPITOL AVE		OMAHA	NE	68102	1106
63	GBB GRAIN CO	84606 US HWY 81		NORFOLK	NE	68701	
64	GENEVA MILLING CO INC	P O BOX 146		GENEVA	NE	68361	0146
65	GRAIN MILLERS INC	10400 VIKING DR STE 301		EDEN PRAIRIE	MN	55344	7232
66	GRAIN PLACE FOODS INC	1904 NORTH HWY 14		MARQUETTE	NE	68854	2516
67	GRAIN STATES SOYA INC	PO BOX 157		WEST POINT	NE	68788	0157
68	GREEN PLAINS TRADE GROUP LLC	1811 AKSARBEN DR		OMAHA	NE	68106	
69	GROVIJOHN FEED & SEED	PO BOX 381		HOWELLS	NE	68641	0381
70	HALLVIN INC	101 S 1ST STREET		BLOOMFIELD	NE	68718	

COMPANY	ADDRESS	ADDRESS 2	CITY	STATE	ZIP	ZIP 2
71	HANNEBAUM GRAIN CO INC	PO BOX 1157	SALINA	KS	67402	1157
72	HANSEN MUELLER CO	12231 EMMET ST STE 1	OMAHA	NE	68164	
73	HARTINGTON FEED & CHICK STORE	PO BOX 158	HARTINGTON	NE	68739	0158
74	HAWKEYE COMMODITIES CO	1050 SW BROOKSIDE CIR STE 100	GRIMES	IA	50111	4950
75	HERBERT FEED & GRAIN CO	PO BOX 290	VERDIGRE	NE	68783	0290
76	HESCO GRAINS LLC	500 19TH STREET SW	WATERTOWN	SD	57201	
77	INTERSTATE COMMODITIES	3803 153RD ST STE 101	OMAHA	NE	68116	4501
78	J D HEISKEL HOLDINGS LLC	20010 MANDERSON ST SUITE A	ELKHORN	NE	68022	
79	J E MEURET GRAIN CO INC	PO BOX 146	BRUNSWICK	NE	68720	0146
80	JELINEK CUSTOM CLEANING INC	6730 MADISON RD	ALLIANCE	NE	69301	
81	K & C GRAIN INC	55403 STATE HIGHWAY 13	NORFOLK	NE	68701	1001
82	KAAPA ETHANOL LLC	P O BOX 238	MINDEN	NE	68959	0238
83	KANSAS ORGANIC PRODUCERS ASSN	1890 88TH RD	GOFF	KS	66428	
84	KANZA COOPERATIVE ASSOCIATION	PO BOX 175	IUKA	KS	67066	0175
85	KASSIK MILLING CO INC	PO BOX 128	MILLIGAN	NE	68406	0128
86	KNABE AG ENTERPRISES, LLC	48413 S 66TH RD	WYMORE	NE	68466	
87	KROEKER GRAIN & LUMBER CO INC	PO BOX 157	HENDERSON	NE	68371	0157
88	KRUMEL GRAIN & STORAGE INC	PO BOX 205	WAHOO	NE	68066	0205
89	LACKAWANNA PRODUCTS CORP	ATTN: JASON HAYWOOD	CLARENCE	NY	14031	0660
90	LANSING TRADE GROUP LLC	10975 BENSON DR #400	OVERLAND PARK	KS	66210	
91	LORENSEN LUMBER & GRAIN LLC	PO BOX 220	PENDER	NE	68047	0220
92	LOUIS DREYFUS COMMODITIES LLC	PO BOX 810	WILTON	CT	06897	0810
93	LOUIS DREYFUS NORFOLK LLC	4800 MAIN ST STE 600	KANSAS CITY	MO	64112	
94	LTG MARKETING SERVICES, LLC	10975 BENSON DR SUITE #400	OVERLAND PARK	KS	66210	
95	MANNING GRAIN COMPANY	4 BURRESS RD	FAIRMONT	NE	68354	
96	MATHIESEN GRAIN CO	1550 NEBRASKA ST	BLAIR	NE	68008	
97	MEL & JOY PRICE INC	1352 COUNTY RD 68	HEMINGFORD	NE	69348	2048
98	MID PLAINS GRAIN LLC	PO BOX 146	BRUNSWICK	NE	68720	
99	MIDWEST FARMERS COOP	PO BOX 40	ELMWOOD	NE	68349	0070
100	NEBRASKA BEAN INC	85824 519TH AVE	CLEARWATER	NE	68726	
101	NEBRASKA CORN PROCESSING LLC	PO BOX 39	ZEELAND	MI	49464	0039
102	NEBRASKA POPCORN INC	85824 519TH AVE	CLEARWATER	NE	68726	
103	NEBRASKA SALT & GRAIN CO	PO BOX 489	GOTHENBURG	NE	69138	0489
104	NORDER SUPPLY INC	PO BOX 143	HEBRON	NE	68370	0143
105	NORTH SIDE GRAIN CO	203 N HWY 20 N	LAUREL	NE	68745	0516
106	OCHSNER GRAIN CO INC	PO BOX 547	MADISON	NE	68748	0547
107	ORGANIC PRODUCERS IA NE SD COOP	130 EAST 10TH	NORTH BEND	NE	68649	
108	OSHKOSH GRAIN INC	PO BOX 572	OSHKOSH	NE	69154	0572
109	OSMOND FARM SUPPLY CENTER INC	PO BOX 480	OSMOND	NE	68765	0480
110	PARAGON AG ADVISORS, LLC	9971 NW US HWY 24	SILVER LAKE	KS	66539	
111	PENDER GRAIN ELEVATOR INC	PO BOX 28	PENDER	NE	68047	0028
112	PENNINGTON SEED INC	ATTN: DAN PENNINGTON	SIDNEY	NE	69162	0443
113	PREFERRED POPCORN LLC	1132 9TH ROAD	CHAPMAN	NE	68827	
114	PRIDE ENTERPRISES INC	DBA PRIDE GRAIN	LONG PINE	NE	69217	5214
115	PRINZ GRAIN & FEED INC	PO BOX 265	WEST POINT	NE	68788	0265
116	PROGRESSIVE AG PARTNERS LLC	PO BOX 38	BRADSHAW	NE	68319	0038
117	RED RIVER COMMODITIES INC	PO BOX 3022	FARGO	ND	58108	
118	RICHARDSON INTL US LIMITED	2800 ONE LOMBARD PLACE	WINNIPEG	MB	R3B	0X8
119	ROVEY SPECIALTY GRAINS LLC	1157 ROVEY AVE	FARMERSVILLE	IL	62533	
120	SALEM GRAIN CO INC	64594 707 LN	SALEM	NE	68433	0182
121	SCHAEFER GRAIN CO	PO BOX 267	PLAINVIEW	NE	68769	0267
122	SEVEN VALLEYS GRAIN CO	PO BOX 145	CALLAWAY	NE	68825	0145
123	SHAW GRAIN LLC	30460 ROAD Q	EDGAR	NE	68935	3121
124	SHICKLEY GRAIN CO	PO BOX 138	SHICKLEY	NE	68436	0138
125	ST PAUL COOP GRAIN ASSN	P O BOX 187	ST PAUL	NE	68873	0187
126	STATE LINE GRAIN	PO BOX 230	VALENTINE	NE	69201	0230
127	STONEBRIDGE, LTD	DBA STONEBRIDGE AGRA MARKETING LTD	CEDAR FALLS	IA	50613	
128	SUPERIOR FEED INGREDIENTS	9358 OAK AVE	WACONIA	MN	55387	
129	THE A.R.C GROUP LLC	8555 EXECUTIVE WOODS DR #400	LINCOLN	NE	68512	
130	THE ANDERSONS INC	ATTN JUDY BALDWIN	MAUMEE	OH	43537	
131	THE DELONG CO INC	PO BOX 522	CLINTON	WI	53525	0522
132	THE REDWOOD GROUP, LLC	DBA THE REDWOOD COMMODITIES GROUP, LLC	MISSION	KS	66202	
133	THE SGOULAR COMPANY	ATTN: KRISTY FORTINBERRY	BONAIRE	GA	31005	
134	TINSLEY GRAIN, INC.	PO BOX 257	NELIGH	NE	68756	0257
135	TROTTER INC	PO BOX 158	ARCADIA	NE	68815	0158
136	TYSONS INC	200 NORTH 10	BLAIR	NE	68008	
137	U.S.ENERGY PARTNERS, L.L.C.	DBA WHITE ENERGY	RUSSELL	KS	67665	
138	UNION GRAIN COMPANY	PO BOX 8	ST LIBORY	NE	68872	0008
139	WELLINGTON TECHNOLOGIES LLC	1119 W SCOTT ST	BEATRICE	NE	68310	
140	WEST PLAINS LLC	11500 AMBASSADOR DR STE 250	KANSAS CITY	MO	64153	3212
141	WRIGHTS TRUCKING & HARVESTING LLC	8400 RD 105	BRIDGEPORT	NE	68048	9384
142	81-20 GRAIN LLC	86524 - HWY 81	RANDOLPH	NE	68771	

	COMPANY	ADDRESS	ADDRESS 2	CITY	STATE	ZIP	ZIP 2
143	KRISTI BLOCK	NEBRASKA GRAIN & FEED ASSN	4600 VALLEY ROAD STE 416	LINCOLN	NE	68510	4844
144	MIKE SANDER	NEBRASKA FSA	7131 A STREET	LINCOLN	NE	68510	
145	BOB HARVESON	NEBRASKA DRY BEAN GROWERS ASSN	4502 AVENUE I	SCOTTSBLUFF	NE	69361	
146	JAY REMPE	NEBRASKA FARM BUREAU	5225 S 16TH STREET	LINCOLN	NE	68501	
147	JOHN HANSEN	NEBRASKA FARMERS UNION	1305 PLUM	LINCOLN	NE	68502	
148	ROCKY WEBER	NEBRASKA COOPERATIVE COUNCIL	134 S 13TH STREET SUITE 503	LINCOLN	NE	68508	1901

TRANSPORTATION CARRIERS

#	COMPANY	ADDRESS	CITY	STATE	ZIP
1	vonRenzell Enterprises	4221 Mary Circle	Lincoln	NE	68502
2	vonRenzell Van & Storage, Inc.	PO Box 156	Greenwood	NE	68366
3	A & A Landscaping	668 E. 44 Avenue	Columbus	NE	68601
4	A Limousine Service	3121 South 111th	Omaha	NE	68144
5	A-1 Limousine Services, LLC	2318 S. 24th Street	Omaha	NE	68108
6	A-1 Transportation, LLC	2318 S. 24th Street	Omaha	NE	68108
7	Aardvark Moving Company	8945 J Street, Suite	Omaha	NE	68127
8	Able Corporation	902 N. 74th Street	Omaha	NE	68114
9	Accent Chauffeured Transportation	6455 S. 86th Circle	Omaha	NE	68127
10	Action Cab	PO Box 5523	Grand Island	NE	68802
11	Action Movers	13605 Shongaska R	Omaha	NE	68112
12	Action Moving, Inc.	316 Floyd Blvd	Sioux City	IA	51101
13	Action Taxi & Limo, Inc.	PO Box 1294	Sioux City	IA	51102
14	Adventure Enterprises, LLC	PO Box 1570	Kearney	NE	68848
15	Airport Transportation Co.	5440 L Street	Omaha	NE	68117
16	Aksarben Enterprises, LLC	814 S. Pine Street	Hastings	NE	68901
17	Aliyha Tap	4800 N. 15th Stree	Lincoln	NE	68521
18	All My Sons Moving & Storage	2400 Old Mill Road	Carrollton	TX	75007
19	Alpha Life Improvement Services	2008 N. 70th Aveni	Omaha	NE	68104
20	Ambassador Transportation, LLC	1110 NW Radial Hi	Omaha	NE	68132
21	American Eagle Van Lines, Inc.	310 S. 7th Street	Norfolk	NE	68702
22	Armadillo Express	(RailCrew Xpress Cr	Lenexa	KS	66215
23	Arne R. Hansen Van & Storage	4504 S. 68th Street	Omaha	NE	68117
24	Arrow Stage Lines	4220 South 52nd S	Omaha	NE	68117
25	Bar Crawler Party Bus	4215 R Street	Omaha	NE	68106
26	Berniklau Education Solutions Team	6400 Eastshore Dri	Lincoln	NE	68516
27	Big O's Party Bus, LLC	1003 2nd Street	Columbus	NE	68601
28	Black Belt Movers	1514 S. 3rd Street	Lincoln	NE	68502
29	Black Belt Movers	6114 O Street	Omaha	NE	68128
30	Black Belt Movers LLC	20515 Nicholas Cir	Elkhorn	NE	68022
31	Black Diamond S&S	617 W. 19th Street	Scottsbluff	NE	69361
32	Black Hills Stage Lines, Inc.	4220 South 52nd S	Omaha	NE	68117
33	Black Out Express Party Bus	1137 Saunders Ave	Lincoln	NE	68521
34	Black Tie Limousine, Inc.	PO Box 387	Hinton	IA	51024
35	Blair Blue Cab, LLC	3348 Adams Street	Blair	NE	68008
36	Blair Moving	1518 Park Street	Blair	NE	68008
37	Borley Moving & Storage, Inc.	138 South Lincoln /	Hastings	NE	68901
38	Buck's Moving & Storage, Inc.	716 South Elm	Grand Island	NE	68802
39	Budget Car and Truck Rental	1755 East Locust St	Omaha	NE	68110
40	Budget Movers	6213 N. 155th Stre	Omaha	NE	68116
41	Camelot Transportation	1220 Central Aveni	Kearney	NE	68847
42	Caring Hearts Transportation	6911 Morman Brid	Omaha	NE	68152
43	Caring People Sudan	217 S. 25th Street	Omaha	NE	68131
44	Champion Homes of Hastings, LLC	PO Box 1197	Hastings	NE	68902
45	Checker Cab Co.	5402 L Street	Omaha	NE	68117
46	Checker Cab Company	1800 W. Pasewalk	Norfolk	NE	68701
47	Chet's Transfer, Inc.	1606 3rd Street	Lincoln	NE	68502
48	Chief School Bus Service, Inc.	3111 South 67th St	Omaha	NE	68106
49	Chieftain Van Lines, Inc.	7201 Main Street	Ralston	NE	68127

#	COMPANY	ADDRESS	CITY	STATE	ZIP
50	Christopher M. Beerbohm	316 West 11th Stre	Fremont	NE	68025
51	City Delivery and Moving, Inc.	2871 25th Avenue	Columbus	NE	68601
52	City Taxi, Inc.	PO Box 3334	Omaha	NE	68103
53	Cohagen Transfer & Storage Co Inc.	1214 N. Jackson St	North Platt	NE	69103
54	Coleman American Moving Serv. Inc.	PO BOX 960	Midland Ci	AL	36350
55	Community Alternatives Nebraska Inc	6400 Cornhusker H	Lincoln	NE	68504
56	Commuter Express	5605 N. 69th Aven	Omaha	NE	68104
57	Cooter, LLC	3028 Eagle Lane	Columbus	NE	68601
58	Cornhusker Cab Company	5440 L Street	Omaha	NE	68117
59	CHHJ Lincoln, LLC	3312 Madison Ave	Lincoln	NE	68504
60	D & L Express, Inc.	P.O. Box 777	Atkinson	NE	68713
61	Dal Enterprises, LLC	28758 N. Highway	North Platt	NE	69103
62	Daniel's Moving & Storage of Omaha	6131 West Van Bur	Phoenix	AZ	85043
63	Dashabout Roadrunner Inc	Buffalo Springs Rar	Akron	CO	80720
64	Dashabout Town Taxi, LLC	28548 County Roac	Akron	CO	80720
65	Denver Coach, Inc.	260653 County Ro	Gering	NE	69341
66	Dignity Non-Emergency Medical Trans	1299 Farnam Stree	Omaha	NE	68102
67	Doc Holiday Express	1932 Aspen Circle,	Grand Islar	NE	68803
68	Dolly Giant Movers	2766 38th Avenue	Columbus	NE	68601
69	Down The Hatch	5601 NW 1st Stree	Lincoln	NE	68521
70	Dudley Movers of Omaha, Inc.	7201 Main St.	Ralston	NE	68127
71	E & M Yellow Cab Co.	PO Box 726	North Platt	NE	69101
72	E Z Cabs, Inc.	4104 Floyd Blvd.	Sioux City	IA	51108
73	Eastern Nebraska Community Action	2406 Fowler Ave	Omaha	NE	68111
74	Elite Party Buses LLC	8500 Liana Lane	Lincoln	NE	68517
75	Emerald Limousine, Inc.	4089 S. 84th Street	Omaha	NE	68127
76	Exclusive Limousine	10900 Ramona Cir	Lincoln	NE	68516
77	Executive Coach, LLC	77045 Road 343	Paxton	NE	69155
78	Fiesta Tours, Inc.	304 S. Pine Street	Grand Islar	NE	68801
79	Firefighters on the Move, LLC	16111 Madison Str	Omaha	NE	68135
80	First Student, Inc.	3333 Keystone Driv	Omaha	NE	68134
81	Ford Storage & Moving Co.	7402 L Street	Omaha	NE	68127
82	Ford Van Lines, Inc.	733 Hill Street, Suit	Lincoln	NE	68502
83	Freight Train Express, LLC	12215 Ponca Road	Omaha	NE	68112
84	Fremont Cab Service LLC	2437 Parkview Driv	Fremont	NE	68025
85	Good Times Limousine, Inc.	2934 Martha Stree	Omaha	NE	68105
86	Good Times Roll GI	2680 St. Patrick Av	Grand Islar	NE	68803
87	Goodwill Industries of Greater Ne	1804 S. Eddy Street	Grand Islar	NE	68802
88	Grand Island Party Bus, LLC	1725 Freedom Driv	Grand Islar	NE	68803
89	GPS Transportation	320 West P Street	Lincoln	NE	68528
90	Handivan Transports, Inc.	534 N. Washington	Papillion	NE	68046
91	Happy Cab	5440 L Street	Omaha	NE	68117
92	Harmony Transportation Services	9529 Sprague Stree	Omaha	NE	68134
93	Heartland Party Bus	11305 West Lakes	Blair	NE	68008
94	High Plains Cab Service	708 Westridge Parl	McCook	NE	69001
95	Holiday Van & Storage	4512 S. 68th Street	Omaha	NE	68117
96	I-Go Van & Storage Co.	9820 South 142nd	Omaha	NE	68138
97	J & M Limousine	1212 4th Street	Kearney	NE	68845
98	Jason's Limousine Service	543 E. 3rd Street	Superior	NE	68978
99	Jerry Spady Chevrolet GMC Cadillac	2750 Osborne Driv	Hastings	NE	68901

#	COMPANY	ADDRESS	CITY	STATE	ZIP
100	Jim's Moving & Delivery Co., Inc.	5610 Highland Driv	Omaha	NE	68133
101	JH Transport, LLC	2230 Independenc	Lincoln	NE	68521
102	JTW Lincoln, Inc.	1328 Camp Gifford	Bellevue	NE	68005
103	K & S Expressway, Inc.	PO Box 184	Atkinson	NE	68713
104	Kearney Cab Company	1103 Avenue B	Kearney	NE	68847
105	Kearney Moving Service	P. O. Box 1357	Kearney	NE	68848
106	Kelly DeSive	111 Cleveland Stre	O'Neill	NE	68763
107	Kiddie Cab (Columbus)	3317 30th Street	Columbus	NE	68601
108	King's Moving	7129 S. 199th Stree	Gretna	NE	68028
109	Kwik But Careful Movers of Omaha	3718 S. 132nd Stre	Omaha	NE	68144
110	KDX Moving	6909 M Avenue Plz	Kearney	NE	68847
111	KMS Shuttle Service, LLC	311 W. 6th Street	York	NE	68467
112	Laidback Limousine, Inc.	13710 North 47th S	Omaha	NE	68152
113	Leisure Limousine & Sedan, Inc.	1835 West O Stree	Lincoln	NE	68528
114	Leisure Party Bus & Limousine, Inc.	3333 Potomac Driv	Lincoln	NE	68516
115	Leisure Taxi, LLC	5008 NW Cuming S	Lincoln	NE	68521
116	Lift Medical Transportation	17181 Manderson	Omaha	NE	68116
117	Limousine Services, LLC	4089 S. 84th Street	Omaha	NE	68127
118	Lincoln Relocation, Inc.	8305 N. 58th Circle	Lincoln	NE	68501
119	Lint Van Lines, Inc.	4549 Delaware Ave	Des Moines	IA	50313
120	Local Movers	PO Box 30434	Lincoln	NE	68503
121	Lunjini Medical Transportation, LLC	7235 Edna Court	LaVista	NE	68128
122	Luxury Limousine	PO Box 81294	Lincoln	NE	68501
123	Madonna Rehabilitation Hospital	5401 South Street	Lincoln	NE	68506
124	Medics At Home, Inc.	5935 Henninger Dr	Omaha	NE	68104
125	Meltech	4000 Sumner Stree	Lincoln	NE	68506
126	Metro Medical Transportation	PO Box 348	Harlan	IA	51537
127	Mid-America Relocation, Inc.	8006 J Street	Omaha	NE	68127
128	Mid-Plains Center for Behavioral	Health Care Servic	Grand Island	NE	68801
129	Middle West Movers	210 Hickory Street	Omaha	NE	68108
130	Midwest Medical Transport Co., LLC	2155 33rd Avenue	Columbus	NE	68601
131	Midwest Medivan Transport Co., LLC	2611 S. 117th Stre	Omaha	NE	68144
132	Midwest Party Bus, LLC	3111 S. 69th Aven	Omaha	NE	68102
133	Midwest Special Services, Inc.	P.O. Box 82	Curtis	NE	69025
134	Midwest Transportation Specialists	PO Box 82	Curtis	NE	69025
135	Mike's Handy Van, LLC	6320 South Street	Lincoln	NE	68506
136	Mo's Moving	3041 NW 6th Stree	Lincoln	NE	68521
137	Monroe Moving	1816 Military Aven	Omaha	NE	68111
138	Murphy Moving, Inc.	12309 Woolworth	Omaha	NE	68144
139	Myers Luxury Coaches, Inc.	PO Box 40	Stuart	NE	68780
140	MG Taxi Service	Box 34	Benedict	NE	68316
141	MV Public Transportation, Inc.	5910 N. Central Ex	Dallas	TX	75206
142	National Arbor Day Foundation	2700 Sylvan Road	Nebraska C	NE	68410
143	National Health Transport, Inc.	11532 Westwood L	Omaha	NE	68144
144	Navigator Motorcoaches, Inc.	P.O. Box 2244	Norfolk	NE	68702
145	Nebraska Game & Parks Commission	2200 North 33rd St	Lincoln	NE	68503
146	Nebraska Metro Transportation, LLC	8998 L Street, Suite	Omaha	NE	68127
147	Nebraska Party Bus	15605 Parker Circle	Omaha	NE	68118
148	Nebraska Taxi, LLC	614 N. Washington	Lexington	NE	68850
149	Nebraska Transport Co., Inc.	1225 Country Club	Gering	NE	69363

#	COMPANY	ADDRESS	CITY	STATE	ZIP
150	Nebraska Urban Indian Health Coalit	2331 Fairfield Street	Lincoln	NE	68521
151	Nebraskaland Moving & Storage	3846 Touzalin Ave.	Lincoln	NE	68507
152	New World Van Lines, Inc.	5875 N. Rogers Ave	Chicago	IL	60646
153	Night Life Limousine, LLC	2420 N. 6th Street	Beatrice	NE	68310
154	Nightlife Party Bus, LLC	2420 N. 6th Street	Beatrice	NE	68310
155	O.U.R. Homes	2039 Q Street	Lincoln	NE	68503
156	O'Malley's Cab Service	911 13th Avenue	Sidney	NE	69162
157	Old Market Limousine	202 East Grant Street	Papillion	NE	68046
158	Ollie The Trolley	PO Box 31353	Omaha	NE	68132
159	Omaha Ambulance Service, Inc.	5935 Henninger Dr	Omaha	NE	68104
160	Omaha Brew Bus, LLC	8718 Countryside F	Omaha	NE	68114
161	Omaha Limousine	2318 S. 24th Street	Omaha	NE	68108
162	Omaha Omaha Handicap Trans. Serv.	3610 Dodge Street,	Omaha	NE	68131
163	Opulence Limousines, Inc.	2161 Surfside Drive	Lincoln	NE	68528
164	OMALINK	5335 N. 57th Street	Lincoln	NE	68507
165	Panda Transportation (2)	100 S. Main Street	Valentine	NE	69201
166	Papa G's, LLC	1607 Keene Drive	Columbus	NE	68601
167	Papio Transport Service, Inc.	534 N. Washington	Papillion	NE	68046
168	Paradise Limo	17040 South Showl	Blue Hill	NE	68930
169	Party Express Bus, LLC	7618 Mary Street	Omaha	NE	68122
171	Plattsmouth Cab	106 S. 5th Street	Plattsmouth	NE	68048
172	Premier Limousine, LLC	720 Pawnee Lane	Broken Bow	NE	68822
173	Prestige Limo	909 5th Street	Sidney	NE	69162
174	Price's Party Patrol, LLC	1314 113th Court #	Omaha	NE	68154
175	Prime Time Shuttle Service	2810 NW 9th Street	Lincoln	NE	68521
176	Professional Transportation, Inc.	3700 E. Morgan Av	Evansville	IN	47715
177	Qualified Developments, Inc.	353 North Main	Ainsworth	NE	69210
178	Quick City Delivery	PO Box 3245	Omaha	NE	68102
179	R & A Transport, LLC	1100 N. Lincoln Av	York	NE	68467
180	R & R Delivery	307 West 3rd Street	York	NE	68467
181	RailCrew Xpress Corporation	9867 Widmer	Lenexa	KS	66215
182	Rapid Shuttle Service	12570 S. 81st Aven	Omaha	NE	68046
183	Red Carpet Moving, LLC	3920 S. 187th Street	Omaha	NE	68130
184	Reliance Medical Transportation LLC	PO Box 8245	Omaha	NE	68108
185	Remington Patient Care	409 Remington Road	Papillion	NE	68046
186	Renzenberger Inc	14325 W. 95th Street	Lenexa	KS	66215
187	Ride The Good Life, LLC	1203 S. 180th Street	Omaha	NE	68130
188	Roadrunner Bus, LLC	1274 South T-Corn	Weston	NE	68070
189	Robert Landrigan	Route 1	Bridgeport	NE	69336
190	Rockin n Rollin	1631 3rd Avenue	Council Bluffs	IA	51501
191	Rockstar Transportation	1217 S. 168th Avenue	Omaha	NE	68130
192	Roelfs Transfer, Inc.	70985 Hwy 103	Diller	NE	68342
193	Royal Limousine, Inc.	1144 N. 11th Street	Omaha	NE	68102
194	Safe Ride Shuttle	1415 N 6th Street	Nebraska C	NE	68410
195	Safeway Cabs	5440 L Street	Omaha	NE	68117
196	Safeway Moving & Storage, Inc.	4508 S. 68th Street	Omaha	NE	68117
197	Schmidt Happens, LLC	56890 712 Road	Fairbury	NE	68352
198	Second To None Moving	8909 H Street, Suite	Omaha	NE	68127
199	Select Van & Storage Company	8006 "J" Street	Omaha	NE	68127
200	Senior Moving Services, LLC	28215 State Street	Valley	NE	68064

#	COMPANY	ADDRESS	CITY	STATE	ZIP
201	Shasteen Transfer and Storage	80419 CR 19	Scottsbluff	NE	69361
202	Shiloh Place LLC	915 North H Street	Fremont	NE	68025
203	Siouxland Paramedics, Inc.	1110 Dace Street	Sioux City	IA	51101
204	Siouxland Taxi	PO Box 1294	Sioux City	IA	51103
205	Smiley's	PO Box 133	Winslow	NE	68072
206	Smoldt Moving & Storage, Inc.	6367 NE 14th Street	Des Moines	IA	50313
207	South Sioux Taxi	3640 Oak Street	South Sioux	NE	68776
208	Special Day Limousine, LLC	PO Box 76v	Yankton	SD	57078
209	Standfast Transportation	PO Box 34567	Omaha	NE	68134
210	Student Transportation of Nebraska	5402 L Street	Omaha	NE	68117
211	Stutheit Transportation Serv., Inc.	534 N. Washington	Papillion	NE	68046
212	T & T Limousines	1737 Frederiksen	Fremont	NE	68025
213	Tailored Dreams Limousine & Sedan	6828 S. 44th Street	Lincoln	NE	68516
214	The Wine Bus, LLC	7155 Pawnee Road	Gibbon	NE	68840
215	Three Sons, Inc.	108 Northeast Street	Malcolm	NE	68402
216	Transfer 88	6616 Minne-lusa B	Omaha	NE	68112
217	Transition-n-More	2525 N. 42nd Street	Omaha	NE	68111
218	Transport Plus	PO Box 85026	Lincoln	NE	68501
219	Travel Plus Limousines	714 Main Street	Sioux City	IA	51103
220	Tree City Cab Company (Allgood)	P.O. Box 544	Nebraska	NE	68410
221	Trendy Transports, Inc.	13373 Treadwood	Omaha	NE	68144
222	Tri-City Limousine Service	1611 Avenue E	Kearney	NE	68847
223	Triumph Transportation	1220 Central Avenue	Kearney	NE	68847
224	Two Men and a Truck	c/o Eileen Marrisor	Fairfax	MO	64446
225	Two Men and a Truck	6702 L Street	Omaha	NE	68117
226	TAA, LLC	3205 West North F	Grand Island	NE	68803
227	Unity Transportation Services, Inc.	3610 Dodge Street	Omaha	NE	68131
228	VIP Limobus LLC	2318 S. 24th Street	Omaha	NE	68108
229	VIP Limousine LLC	2318 S. 24th Street	Omaha	NE	68108
230	Western Limousine Service, LLC	33750 Ad 738	Imperial	NE	69033
231	Western Nebraska Moving & Storage	2440 N. 10th Street	Gering	NE	69341
232	Windstar Lines, Inc.	1903 N. US Highway	Carroll	IA	51401
233	Wings of Love	6911 Morman Brid	Omaha	NE	68152
234	Wynne-Win Transportation	4719 N. 66th Street	Omaha	NE	68104
235	Xtreme Ride, LLC	1515 Apache Avenue	Hastings	NE	68901
236	Yellow Cab Beatrice	2420 N. 6th Street	Beatrice	NE	68310
237	Yellow Cab Co.	5402 L Street	Omaha	NE	68117
238	Yellow Cab Co. & Capital Cab Co.	320 West P Street	Lincoln	NE	68528
239	Your Own Limousine	823 12th Avenue	Kearney	NE	68845
240	Your Own Limousine Lite, LLC	823 12th Avenue	Kearney	NE	68845

Engineering Mailing List
03/15/17

Company	Contact	Email Address	Mailing Address	City	State	Zip
Baird Holm, LLP/Grand Prairie Wind LLC	Amy Lawrenson		1700 Farnam Street, Ste. 1500	Omaha	NE	68102
Burt County Public Power District	Richard Ray		PO Box 209	Tekamah	NE	68061
Butler Public Power District	Mark Kirby		1331 N. 4th Street	David City	NE	68632
Cedar Knox Public Power District	Dan Leise		56272 West Highway 84	Hartington	NE	68739
City of Auburn	Jim Dietz		PO Box 288	Auburn	NE	68305
City of Grand Island	Timothy G. Luchsinger		PO Box 1968	Grand Island	NE	68802
City of Lexington	Joe Repplicht		PO Box 70	Lexington	NE	68850
City of South Sioux City	Lance Hedquist		1615 1st Avenue	South Sioux City	NE	68776
City of Wood River	Monte Moss		PO Box 8	Wood River	NE	68883
Consulting Engineers Group	Vincent L. Granquist		21210 Eaton Avenue, Ste. C	Farmington	MN	55024
Cornhusker Public Power District	Ron Ziola		PO Box 988	Columbus	NE	68602
Custer Public Power District	Tom Knott		PO Box 10	Broken Bow	NE	68822
Dawson County Public Power District	Cole Brodine		PO Box 77	Lexington	NE	68850
Elkhorn Rural Public Power District	Robert Coble		PO Box 310	Battle Creek	NE	68715
Flat Water Wind Farm LLC	David L. Jones		5120 Woodway Drive, Ste. 9004	Houston	TX	77056
Fremont Department of Utilities	Nate Royuk	nate.royuk@fremontne.gov	400 E. Military Avenue	Fremont	NE	68025
Hamilton County Wind LLC & Creston Ridge II, LLC	Adam Herink		PO Box 31336	Omaha	NE	68131
Highline Electric Association	Chris Schaumberg		PO Box 57	Holyoke	CO	80734
Howard Greeley Rural Public Power District	Brian Lukasiewicz		422 Howard Avenue	St. Paul	NE	68873
KBR Rural Public Power District	Brad Waits		PO Box 187	Ainsworth	NE	69210
Lincoln Electric System	Alicia Shuller	aschuller@les.com	PO Box 80869	Lincoln	NE	68501
Loup Power District	Ron Ziola	rziola@loup.com	PO Box 988	Columbus	NE	68602
Loup Valleys Rural Public Power District	Chuck Fuhrer		PO Box 166	Ord	NE	68862
McCook Public Power District	Jim Phinney		PO Box 1147	McCook	NE	69001
Midwest Electric Cooperative Corporation	Craig Clough		PO Box 970	Grant	NE	69140
Municipal Energy Agency of Nebraska	Chris Dibbern		8377 Glynoaks Drive	Lincoln	NE	68516
Nebraska Public Power District	Julie Johnson	jjohns@nppd.com	PO Box 499	Columbus	NE	68602
Niobrara Valley Electric Membership Corporation	John Boyle		PO Box 60	O'Neill	NE	68763
Norris Public Power District	Jerry Ehns		PO Box 399	Beatrice	NE	68310
Northwest Rural Public Power District	Ron Housh		PO Box 249	Hay Springs	NE	69347
Omaha Public Power District	Steve Fanslau		444 S. 16th St. Mall	Omaha	NE	68102
Perennial Public Power District	Brandon Lehman		PO Box 219	York	NE	68467
Polk County Public Power District	Phil Burke		115 West 3rd Street	Stromsburg	NE	68666
Prairie Breeze Wind Energy LLC	James Shield		One South Wacker Drive, Ste. 1900	Chicago	IL	60606
Public Power Generation Agency	Kevin Gaden		1228 N. Denver Ave.	Hastings	NE	68902
RWW	Doug Hartman		PO Box 495	Columbus	NE	68602
Seward County Public Power District	Joel Navis		3111 Progressive Road	Seward	NE	68434
South Central Public Power District	Craig Cox		PO Box 406	Nelson	NE	68961
Southern Public Power District	Travis Dahlin		PO Box 1687	Grand Island	NE	68802
Third Plant Windpower	Steve Boyer		PO Box 87	Petersburg	NE	68652
Tri State Generation & Transmission Assoc.	Tim Woolley		PO Box 33695	Denver	CO	80233
Twin Valleys Public Power District	Jim Dietz		1145 Nasby Street	Cambridge	NE	69022
Wheat Belt Public Power District	Ryan Borges		PO Box 177	Sidney	NE	69162

CNGP Distribution List
September 2017

Company Name	d/b/a's	Regulatory Contact Name	Address	Address 2	City	State	Zip	Phone #	Fax #	Email
Public Alliance for Community Energy	ACE	Chris Dibbern	8377 Glynoaks Drive		Lincoln	NE	68516-6304	402-474-4759		cdibbern@nmpenergy.org
Archer Energy, LLC	Archer Natural Gas Services, LLC	Andy Mitrey	4026 N. Hampton Drive		Powell	OH	43065	614-450-1861	614-582-7063	amitrey@archerenergyllc.com
BP Canada Energy Marketing Corp.			15808 W. Dodge Road	Suite 300	Sep-17	NE	68118	402-505-8802	402-505-4500	libby.bruscino@bp.com
BP Energy Company		Kathleen E. Magruder	Helios Plaza	201 Helios Way	Houston	TX	77079	713.323.0511		Kathleen.magruder@bp.com
Black Hills Energy Services Company		Adam Buhrman	1102 No. 1st Street		Papillion	NE	68046	402-221-2630		
Concord Energy, LLC		Marcus Divita	1401 17th Street	Suite 1500	Denver	CO	80202	303-468-1247		www.concordenergy.com
Constellation New Energy - Gas Division, LLC		Stephen Baker	9960 Corporate Campus Drive	Suite 2000	Louisville	KY	40223	502-214-6313	502-426-8800	stephen.baker@constellation.com
Eco-Energy LLC		Kim Hendershot	6100 Tower Circle	Suite 500	Franklin	TN	37067			
Heartland Natural Gas, LLC		Tyler J. Robach	8540 Executive Woods Drive	Suite 100	Lincoln	NE	68516	402-540-0443		tyler.robach@heartlandnaturalgas.com
Koch Energy Services, LLC		Jeffrey F. Wilson	20 Greenway Plaza	Suite 800	Houston	TX	77046	713-544-4123		WilsonJ@kochind.com
United Energy Trading, LLC	Kratos Gas & Power	Kenneth B Thomson	225 Union Blvd	Suite 200	Lakewood	CO	80228	888-470-1039	303-991-0988	kthomson@uetllc.com
MidAmerican Energy Services, LLC		Carrie Baird-Forristall	4299 NW Urbandale Drive		Urbandale	IA	50322	515-242-3488		CBaird-Forristall@midamerican.com
Sage Energy Trading, LLC		Cindy Hughes-Eimen	208 E Aquarium Place		Junks	OK	74133	918-362-2310	918-362-2333	
Shell Energy North America (US) L.P.		Robert R. Reilley	1000 Main Street	Level 12	Houston	TX	77002	713-767-5632		amy.cold@shell.com
Tenaska Marketing Ventures		Terry Jo Comes	14302 FNB Parkway		Omaha	NE	68154-5212	402-758-6243	402-758-6200	Terry Jo Comes@tenaska.com
Three Rivers Energy Company		Aaron Gunderson	1404 Fr Crook Rd S		Bellevue	NE	68005	402-614-4334		Agunderson@HoChunkSharedServices.com
U.S. Energy		Todd D. Overgard	605 North Highway 169		Plymouth	MN	55441	763-543-4600	763-543-4603	
Vista Energy Marketing LP		Paul Atha	4306 Yoakum Blvd.	Suite 600	Houston	TX	77006	713-877-9901	832-213-0301	dhenderson@vistaenergymarketing.com
WoodRiver Energy LLC		Marc Peter	3300 E. 1st Avenue	Suite 600	Denver	CO	80206-5809	303-989-7165		marc.peter@woodriverenergy.com
World Fuel Services, Inc.		Matt Foran	9800 NW 41st Street	Suite 400	Miami	FL	33173	305-351-4461	763.543.4603	mforan@wfsocorp.com

Jurisdictional Companies @ September 2017

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Black Hills Distribution	Robert J. Amdor	1102 E 1st Street	Papillion	NE	68046	402.221.2630	Robert.amdor@blackhillscorp.com
Black Hills Energy	Robert J. Amdor	1102 E 1st Street	Papillion	NE	68046	402.221.2630	Robert.amdor@blackhillscorp.com
North Western	Pam Bonrud	125 S. Dakota Avenue	Sioux Falls	SD	57104-5403	605.978.2990	Pam.Bonrud@northwestern.com

Docket Number	PSAP	Contact Name	Position	Address	City	State	Zip	Phone Number
911-042.66	Antelope County	Bob Moore	Sheriff	1102 L Street	Neligh	NE	68756	402-887-4148
911-042.44	Boone County	Denny Johnson	Sheriff	217 South 5th Street	Albion	NE	68620	402-395-2144
911-042.32	Boyd-Holt Counties Joint E911	Cora Calkins	Director	P.O. Box 463	O'Neill	NE	68763	402-336-2850
911-042.53	Brown County	Douglas Fox	Region 24 EMA	P.O. Box 178	Bassett	NE	68714	402-684-2424
911-042.10	Buffalo County	Neil Miller	Sheriff	2025 Avenue A	Kearney	NE	68847	308-236-8555
				111 North 13th Street, Suite 1	Tekamah	NE	68061	402-374-2900
911-042.35	Burt County	Robert Pickell	Sheriff	451 5th Street	David City	NE	68632	402-367-7400
911-042.68	Butler County	Scott Steager	Emergency Manager	451 5th St	David City	NE	68632	402-367-7400
911-042.68	Butler County	Marcus Siebken	Sheriff	336 Main Street	Plattsmouth	NE	68058	402-296-9374
911-042.39	Cass County Sheriff's Office	Brad Lahm	Chief Deputy	P.O. Box 415	Hartington	NE	68739	402-254-6862
911-042.43	Cedar County	Kevin Garvin	Emergency Manager	921 Broadway, P.O. Box 1299	Imperial	NE	69033	308-882-7520
911-042.50	Chase County	Billie Muehlenkamp	Unknown	P.O. Box 178	Bassett	NE	68714	402-684-2424
911-042.52	Cherry County	Douglas Fox	Region 24 EMA	1009 11th Avenue	Sidney	NE	69162	308-254-2880
911-042.16	Cheyenne County	Heidi Gillespie	Director	PO Box D	Alliance	NE	69301	308-762-4955
911-042.57	City of Alliance	E. John Kiss	Chief	201 North 5th Street	Beatrice	NE	68310	402-223-4080
911-042.41	City of Beatrice	Bruce Lang	Chief	2419 14th Street	Columbus	NE	68601	402-564-3201
911-042.22	City of Columbus	Todd Thalken	Captain	2307 Barada St	Falls City	NE	68355	402-245-2707
911-042.08	City of Falls City	Gary Jorn	City Clerk	100 East 1st Street, P.O. Box 1968	Grand Island	NE	68802	308-385-5360
911-042.06	City of Grand Island	Jon Rosenlund	Emergency Manager / Director	317 S Burlington Ave	Hastings	NE	68901	402-461-2380
911-042.29	City of Hastings	Gene Boner	Captain	317 S Burlington Ave	Hastings	NE	68901	402-461-2380
911-042.29	City of Hastings	Brian Hessler	Sargeant	813 5th Avenue	Holdrege	NE	68949	308-995-4407
911-042.14	City of Holdrege	Dennis DaMoude	Chief					
911-042.33	City of Lincoln	Julie J. Righter Dove	Special Projects Coordinator	575 South 10th St	Lincoln	NE	68508	402-441-7252
911-042.09	City of McCook	Isaac S. Brown	Chief of Police	505 West C St	McCook	NE	69001	308-345-3450
911-042.59	City of Norfolk	Michael Bauer	Captain	202 N. 7th St	Norfolk	NE	68701	402-644-8700
911-042.18	City of North Platte	Mike Swain	Chief of Police	701 S. Jeffers St	North Platte	NE	69101	308-535-6789
911-042.05	City of South Sioux City	Tracy Ellinger	City/County LE Center	701 West 29th Street	South Sioux C	NE	68776	402-494-7512
911-042.46	City of Wayne and Wayne County	Marlen Chinn	Chief	306 Pearl Street	Wayne	NE	68787	402-375-2626
				104 E Edgar Street PO Box 186	Clay Center	NE	68933	402-762-3852
911-042.03	Clay County	Jeff Franklin	Sheriff	411 East 11th Street	Schuyler	NE	68661	402-352-8527
911-042.62	Colfax County	Paul Kruse	Sheriff	200 S Lincoln St Room 301	West Point	NE	68788	402-372-6009
911-042.21	Cuming County	Nicole Lund	Supervisor/Head Dispatcher	116 South 11th Ave	Broken Bow	NE	68822	308-872-3349
911-042.47	Custer County	Mark Rempe	Emergency Manager	125 Main Street	Chadron	NE	69337	308-432-0510
911-042.20	Dawes County	Tim Lordino	Chief of Police	709 North Grant St	Lexington	NE	68850	308-324-3011
911-042.26	Dawson County	Deb White	Communication Supervisor	P.O. Box 900, 302 West 3rd Street	Ponca	NE	68770	402-755-5608
911-042.65	Dixon County	Lynn Eifert	Coordinator	725 N. Park Ave.	Fremont	NE	68025	402-727-2677
911-042.02	Dodge County 911 Board	Shelly Holzerland	Director					
			Director / Communications					
911-042.49	Douglas County	David Sleeter	Chief	3603 N 156th St	Omaha	NE	68116	402-444-5800
911-042.45	Dundy County	Justin Nichols	Sheriff	P.O. Box 506, 701 Chief St	Benkelman	NE	69021	308-423-2393
911-042.24	Fillmore County	Bill Burgess	Sheriff	900 G Street	Geneva	NE	68351	402-759-4441
911-042.70	Franklin County/EDS 911	Dale Casper	Chief	P.O. Box 121	Franklin	NE	68939	308-938-2471
911-042.27	Frontier County	Dan Rupp	Sheriff	308 Center Avenue	Curtis	NE	69025	308-367-4411
911-042.42	Furnas County	Jeff Olson	Chief Deputy / 911	912 R Street	Beaver City	NE	68296	308-268-2245
911-042.48	Garden County	Michelle L. Quinn	Sheriff	611 Main Street	Oshkosh	NE	69154	308-772-3540

911-042.15	Hamilton County	Kirk Handrup	Sheriff	715 12th Street 229 East D Street, P.O. Box 306	Aurora	NE	68818 402-694-6936
911-042.17	Hitchcock County	D. Bryan Leggott	Sheriff	612 Indian Street	Trenton	NE	69044 308-334-5444
911-042.55	Howard County Communications	Melissa Paxton	Chief Dispatcher	606 3rd Street	St. Paul	NE	68873 308-754-5458
911-042.30	Jefferson County 911	Nels L. Sorensen	Sheriff	222 South 4th Street	Fairbury	NE	68352 402-729-2284
911-042.07	Johnson County	Scott Walton	Sheriff	246 North Colo, P.O. Box 185	Tecumseh	NE	68450 402-335-3307
911-042.72	Kearney County	Scott K. White	Sheriff	501 North Spruce St Suite 102	Minden	NE	68959 308-832-2805
911-042.25	Keith County	Laurie Hood	Interim Director	P.O. Box 178	Ogallala	NE	69153 308-284-2011
911-042.54	Keya Paha County	Douglas Fox	Region 24 EMA	114 E 3rd St Ste12	Bassett	NE	68714 402-684-2424
911-042.12	Kimball County	Harry Gillway	Sheriff	206 Main Street PO Box 142	Kimball	NE	69145 308-235-3615
911-042.04	Knox County	Don Henery	Sheriff	1821 16th Ave	Center	NE	68724 402-288-4261
911-042.13	Merrick County	John Westman	Sheriff	P.O. Box 215	Central City	NE	308-946-2345
911-042.40	Mid Rivers 911 Center	Jeanie Schmidt	Supervisor/Head Dispatcher	P.O. Box 858	Campbell	NE	68932 402-756-8121
911-042.37	Morrill County	Milo Cardenas	Sheriff	209 Esther Street	Bridgeport	NE	69336 308-262-0408
911-042.69	Nance County	Dave Moore	Sheriff	1805 N Street	Fullerton	NE	68638 308-536-2452
911-042.01	Nemaha County	Sheriff Brent Lottman	Sheriff	150 South Main St	Auburn	NE	68305 402-274-3139
911-042.36	Nuckolls County 911	Brad Baker	Sheriff	1021 Central Ave	Nelson	NE	68961 402-225-2831
911-042.61	Otoe County Sheriff	Mike Holland	Chief Deputy	200 Lincoln Avenue; P.O. Box 607	Nebraska City	NE	68410 402-873-6130
911-042.23	Perkins County	James D. Brueggeman	Sheriff	111 West Court Street, Rm #7	Grant	NE	69140 308-352-4564
911-042.67	Pierce County	Rick Eberhardt	Sheriff	251 North Main, P.O. Box 567	Pierce	NE	68767 (402) 329-6346
911-042.34	Polk County	Dwayne Ladwig	Sheriff	P.O. Box B, 402 4th Street	Osceola	NE	68651 402-747-2231
911-042.58	Region 26 Council	Alma Beland	Emergency Manager	P.O. Box 178	Taylor	NE	68879 308-942-3461
911-042.51	Rock County	Douglas Fox	Region 24 EMA	911 South Main	Bassett	NE	68714 402-684-2424
911-042.19	Saline County	Alan Moore	Sheriff	1210 Golden Gate Drive	Wilber	NE	68465 402-821-2111
911-042.64	Sarpy County	Stu DeLaCastro	Director	387 North Chestnut, Suite 3	Papillion	NE	68046 402-593-2283
911-042.71	Saunders County	Steve Malina	Captain	1825 10th Street	Wahoo	NE	68066 402-443-3718
911-042.63	Scotts Bluff County	Ray Richards	Director	261 S 8th St	Gering	NE	69341 308-436-5880
911-042.28	Seward County	Barb Liska	Director	P O Box 510 303 E. 2nd St	Seward	NE	68434 402-643-6784
911-042.73	Sheridan County Sheriff's Office	Terry Robbins	Sheriff	324 Olive Avenue	Rushville	NE	69360 308-327-2161
911-042.60	Thayer County Sheriff	David Lee	Sheriff	106 South 5th Street, P.O. Box 370	Hebron	NE	68370 402-768-6139
911-042.31	Thurston County	Gayle A. Dahlman	Director / Dispatcher	1535 Colfax Street	Pender	NE	68047 402-385-3018
911-042.38	Washington County 911	Philip E. Brazelton	Captain	510 Lincoln Avenue	Blair	NE	68008 402-426-6866
911-042.56	York County Sheriff	Dale Radcliff	Sheriff		York	NE	68467 402-362-4927



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SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on) RULE AND REGULATION NO. 192
its own motion, seeking to amend)
Title 291, Chapter 1, Rules of) ORDER SEEKING COMMENT ON
Commission Procedure, to update the) PROPOSED RULE AMENDMENTS
chapter in its entirety.) MODIFIED AS A RESULT OF LB 263
) (2017).
)
) ENTERED: September 26, 2017

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

On May 10, 2016 the Nebraska Public Service Commission (Commission), issued a Certificate of Adoption in the above-captioned proceeding to amend Title 291, Chapter 1, Rules of Commission Procedure, which effectively updated the chapter entirely and in large part incorporated changes to comport with the Nebraska Model Rules of Agency Procedure (Model Rules) issued July 25, 1994 where applicable, and to incorporate statutory changes.

The Commission after considering all comments submitted by Commission staff and industry adopted the rules as set forth in Appendix A to the May 10, 2016 Order. Where appropriate, the Commission identified rules which deviated from the Model Rules and provided an explanation as to why such rules would be impracticable for the Commission to implement.

...Any agency adopting a rule of procedure that differs from the model rules shall include in the explanatory statement provided for in section 84-907.04 a finding stating the reasons why the relevant portions of the model rules were impracticable under the circumstances.¹

One of the more significant issues that developed was the requirement in Neb. Rev. Stat. § 84-912.02 that required a hearing officer or designee to grant a petition for intervention if the petition is filed at least five days before the hearing.² The Commission is unique among other state agencies subject to the APA and model rules in that it is a constitutional agency with quasi-judicial authority.³ Commenters expressed concern regarding the ability to properly prepare their case if interventions could be filed five days prior to a hearing in a contested matter. The Commission agreed that an intervention at such a late date would be problematic in many of the contested cases

¹ Neb. Rev. Stat. § 84-909.01, in part.

² Neb. Rev. Stat. § 84-912.02 states, in relevant part, "(1) A hearing officer or designee shall grant a petition for intervention if: (a) The petition is submitted in writing to the hearing officer or designee, with copies mailed to all parties named in the hearing officer's notice of the hearing, at least five days before the hearing..." (Emphasis added).

³ See Neb. Const. Art. IV § 20.

before the Commission. However, because that requirement was statutory, the Commission's May 10, 2016 Order adopting the proposed rule amendments were consistent with § 84-912.02.

On April 27, 2017 LB 263 was signed into law. A portion of the bill amended Neb. Rev. Stat. § 75-110 by carving out an exception from the applicability of § 84-912.02, specifically providing that,

(2) For the purposes of granting or denying a petition for intervention, the commission shall be exempt from section 84-912.02.⁴

In light of this statutory change, the Commission requested the return of its proposed rule amendments from the Office of the Attorney General so it may consider rule amendments consistent with new law. The Commission releases the proposed amendments Attached hereto as Appendix A for the limited purpose of considering changes to its rules on informal intervention. The Commission proposes to make the following changes to its proposed rule amendments:

003.04 Formal Intervention in a Contested Case: Subsequent to the initial thirty (30) day period following the publication of an application or petition, if a matter has not been disposed of pursuant to 002.10B, persons seeking to formally intervene in a matter must file with the Commission a petition for formal intervention in compliance with the requirements set forth in section 002.12A2 at least five (5) days before a hearing. The Hearing Officer must dispose of the petition for formal intervention consistent with 002.12A3 through 002.12A5 except the Hearing Officer shall dispose of the petition at least twenty four (24) hours prior to the hearing. Any person who has an interest in any proceeding pending before the Commission but who does not desire to file a formal protest, may file a Petition of Formal Intervention. Such person shall be designated as a "formal intervenor", and shall become a party to the proceeding.

003.04A Content: A Petition of Formal Intervention shall set forth the name and address of the intervenor, a statement of the interest of the intervenor in the proceeding, the grounds upon which the intervention is made and shall specify the facts and circumstances relied upon for such intervention.

003.04B: When Filed; Service: A Petition of Formal Intervention shall be filed with the Commission within the timeframe specified in 02.12C1 for the filing of a formal protest. A copy of the Petition of Formal Intervention shall be served upon all parties of record to the proceedings or upon their attorneys of record.

⁴ LB 263 (2017) Section 80.

003.04C: Participation in the Proceedings: A formal intervenor shall be entitled to participate in the proceeding to the extent of his/her express interest in the matter. Such participation may include, presentation of evidence and argument, cross-examination of witnesses and submission of rebuttal evidence. As a party, a formal intervenor shall have the right of appeal.

003.05 Informal Intervention in a Contested Case: Subsequent to the initial thirty (30) day period following the publication of an application or petition, if a matter has not been disposed of pursuant to 002.10B, persons seeking to informally intervene in a matter must file with the Commission a petition for informal intervention in compliance with the requirements set forth in section 002.12B at least five (5) days before a hearing. The Hearing Officer must dispose of the petition for informal intervention consistent with 002.12B. Any person may file a Petition of Informal Intervention. Such Petition of Informal Intervention shall set forth the information required in 003.04A above. Any person who files a Petition of Informal Intervention shall be designated as an "Informal Intervenor".

003.05A When Filed: A Petition of Informal Intervention shall be filed not later than fifteen days prior to the date the hearing in the proceeding commences and shall be accompanied by the statement referred to in 003.05C and any exhibits to be offered by the Informal Intervenor's witness at the hearing. A copy of the Petition of Informal Intervention and all accompanying pre-filed material shall be served on all parties to the proceeding, or upon their attorneys of record.

003.05B Approval by the Commission: Leave to intervene informally shall be granted only if the petitioner addresses issues reasonably pertinent to the issues already presented and does not unduly broaden the scope of the proceeding. If leave is granted by the Commission, the petition becomes an informal intervenor but does not become a party to the proceeding.

003.05C Participation in the Proceedings: Participation by an informal intervenor shall be limited to the presentation of a pre-filed statement of a single witness together with exhibits by such witness, and participation in oral argument submission or briefs. An informal intervenor shall not be permitted to engage in discovery or cross-examine or otherwise interrogate the witnesses in the proceeding called by any party. An informal intervenor providing a statement at a hearing may be subject to cross-examination by the other parties to the proceeding.

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RULE AND REGULATION NO. 192

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A public hearing on these proposed rule amendments will be held on **November 7, 2017** at 11:00 a.m. in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508. If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352(TDD) or (800) 833-0920 (Voice). Advance notice of at least seven (7) days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the revisions attached hereto as Appendix A shall be and they are hereby open for public comment.

IT IS FURTHER ORDERED that a public hearing be held on the rule amendments on **November 7, 2017** at 11:00 a.m. in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508.

MADE AND ENTERED at Lincoln, Nebraska, this 26th day of September, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Mary Zedler

Crystal Swader

Frank E. Landis

//s//Frank E. Landis

//s//Tim Schram

Tim Schram

Chairman

ATTEST:

Michael R. A. De

Executive Director

APPENDIX A

001 DEFINITIONS: The following definitions shall apply:

001.01 Applicant shall mean a party or parties who have filed an application with the Commission.

001.02 Application shall mean an initial pleading seeking Commission action.

001.03 Argument shall mean the oral statement of the petitioner or any other party which explains his or her view of the facts and issue to be decided, the law applicable to the question presented, and the reasoning that connects the facts and law.

001.04 Commission shall mean the Nebraska Public Service Commission.

001.05 Common Carrier shall mean a person transporting passengers or goods or providing telecommunications services for hire to the general public at large in Nebraska intrastate commerce.

001.06 Contested Case shall mean a proceeding before the Commission in which the legal rights, duties, or privileges of specific parties are required by law or constitutional right to be determined after hearing before the Commission.

001.07 Contract Carrier shall mean a person transporting passengers or goods or providing telecommunications services for hire, other than as a common carrier, in Nebraska intrastate commerce.

001.08 Declaratory Order Proceeding shall mean a proceeding initiated by a petitioner seeking issuance of a binding order by the Commission as to the applicability of specified circumstances to a statute, rule, regulation, or order within the primary jurisdiction of the Commission.

001.09 Departmental Complaint shall mean a complaint filed by a director of a department alleging a violation of a statute, rule or Commission order and seeking relief.

001.10 Executive Director shall mean the designated person in charge of the daily operations of the Commission.

001.11 Ex parte Communication shall mean an oral or written communication which is not on the record in a contested case with respect to which reasonable notice to all parties was not given. Ex parte communication shall not include:

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001.11A Communications which do not pertain to the merits of a contested case;

001.11B Communications required for the disposition of ex parte matters as authorized by law;

001.11C Communications in a ratemaking or rulemaking proceeding except with respect to any proceedings in which the public advocate is a party as set forth in 002.11B; and

001.11D Communications to which all parties have given consent.

001.12 Formal Complaint shall mean a written complaint filed with the Commission alleging a violation of a statute, rule or Commission order and seeking relief.

001.13 Formal Intervenor(s) shall mean an intervenor who files a Petition for Formal Intervention seeking to become a party to a Commission proceeding.

001.14 Hearing Officer shall mean the Commissioner or Commissioners conducting a proceeding pursuant to the Administrative Procedure Act, whether designated as the presiding officer, administrative law judge, or some other title.

001.15 Informal Intervenor(s) shall mean an intervenor who does not satisfy the requirements of formal intervention or files a satisfactory petition requesting informal intervention status. Informal intervenors are not made parties to the proceeding and their participation is limited.

001.16 Intervenor(s) shall mean persons, political subdivisions, corporations, organizations, or other entities who have or claim to have any interest, legal right, duty, privilege, or immunity, which would be directly affected by the Commission's issuance of a binding order.

001.17 Jurisdictional Utility shall mean a natural gas public utility subject to the jurisdiction of the Commission under the State Natural Gas Regulation Act as defined in section 66-1802(10).

001.18 Motion shall mean an oral or written request addressed to a Hearing Officer or the Commission by any party to a proceeding.

001.19 Necessary Party for Purposes of Petitions for Declaratory Rulings shall mean a person who or an entity which has a specific interest in the applicability of the statute, rule, regulation, or order, as distinguished from a general interest such as may be the concern of the public at large. A necessary party is one which is or would be adversely affected in a legally cognizable way by the uncertainty sought to be resolved.

001.20 Order to Show Cause shall mean an order issued by the Commission directing a person subject to its jurisdiction to appear before the Commission and present evidence as to why the Commission should not take a particular action.

001.21 Parties shall mean persons, political subdivisions, corporations, organizations, or other entities subject to the jurisdiction of the Commission who are involved in a proceeding before the Commission according to the procedures set forth in this chapter. In a contested case, party means the person by or against whom a contested case is brought or a person allowed to formally intervene in a contested case.

001.22 Person shall mean an individual, firm, organization, corporation, company, association, partnership, joint stock association, body politic, common carrier, society, legal representative, trustee, receiver, assignee, guardian, executor or administrator.

001.23 Petition means an initial pleading filed by or with the Commission that sets forth a claim and request for Commission action or initiates a proceeding.

001.24 Petitioner(s) shall mean a party or parties who have filed a petition with the Commission seeking issuance of a Commission order.

001.25 Pleading shall mean any petition, application, complaint, intervention, protest, answer, reply, notice, motion, stipulation, objection or order or other formal written document filed in a proceeding before the Commission.

001.26 Protest shall mean any pleading filed in opposition to an application.

001.27 Protestant shall mean a person filing a protest to the granting of an application.

001.28 Public Advocate shall mean the person appointed by the Executive Director to represent the interests of Nebraska citizens and all classes of jurisdictional utility ratepayers, other than high-volume ratepayers, in matters involving jurisdictional utilities and as trial staff before the Commission.

002 GENERAL RULES OF PRACTICE AND PROCEDURE:

002.01 Office Hours: Commission office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for holidays as defined by state statute.

002.02 Computation of Time: In computing time prescribed or allowed by these rules and regulations or by any applicable statute in which the method of computing time is not specifically provided, days will be computed by excluding the day of the act or event and including the last day of the period. If the last day of the period falls on a Saturday, Sunday, or state holiday, the period shall include the next working day. When the period of time prescribed or allowed is less than five (5) days, intermediate Saturdays, Sundays and holidays will be excluded in the computation.

002.03 Copies: Unless otherwise specified, persons filing a pleading, comments or other filings, shall furnish to the Commission an original, a paper copy and an electronic copy either via e-mail or other electronic media.

002.04 Appearances:

002.04A Individual: An individual may appear on his or her own behalf before the Commission.

002.04B On Behalf of Another: An individual may appear on behalf of another person and elicit testimony from witnesses if such individual is admitted to practice law before the Nebraska Supreme Court or is admitted to practice law before the Supreme Court of any other state and has been admitted to practice before the Commission in a proceeding upon a motion by a person admitted to practice before the Nebraska Supreme Court.

002.04C On Behalf of Another by Limited Appearance: An individual who is neither admitted to practice law before the Nebraska Supreme Court nor the Supreme Court of any other state may appear for a governmental subdivision, corporation, association or partnership for the sole purpose of making a statement on behalf of such person, but shall not elicit testimony from any other person.

002.05 Pleadings:

002.05A All pleadings shall be made on white, letter-sized (8½ x 11) paper and shall be legibly typewritten, photostatically reproduced, printed or handwritten. If handwritten, a pleading must be written in ink, and shall contain the following information:

002.05A1 A caption specifying the title or nature of the pleading;

002.05A2 Material factual allegations;

002.05A3 The action the Commission is being requested to take;

002.05A4 The name, mailing address, telephone number and email address of the petitioner, applicant, or complainant;

002.05A5 Signature of the party filing the pleading, or when represented by an attorney, the signature, address, telephone number and bar number of that attorney; and

002.05A6 The name and address of the respondent, if applicable.

002.05B All pleadings shall be filed with the Commission at its official office. Filing may be accomplished by personal delivery or mail and will be received during regular office hours of the Commission.

002.05C Pleadings filed with the Commission will not be withdrawn without approval of the Commission.

002.06 Service and Notice:

002.06A Manner of Service: Service of any pleading or subpoena may be accomplished through any means permitted by law related to civil cases.

002.06B Date of Service if by First Class Mail: If a document is served via first class mail, the date of service of a document is the date of the mailing plus three (3) days.

002.06C Notice of Application: Notice of the filing of all applications will be given to all interested persons by publishing a summary of the authority or relief sought.

002.06D Notice of Hearing: Notice of a hearing shall be mailed to all parties via first class mail, except that notice of a hearing on a complaint shall be mailed to the respondent via certified mail or made by personal service.

002.06E Official Publication: The legal newspaper is known as The Daily Record and is the official newspaper in which notices will be published by the Commission.

002.06F Address/Agent for Service: For the purpose of service, each person subject to the Commission's jurisdiction shall at all times keep on file with the Executive Director his, her or its business address or, in lieu thereof, notify the Executive Director of an agent (name and address) designated to receive documents and notices. Until the

Executive Director is notified to the contrary, the address on file with the Commission's various departments will be deemed to be the address to which documents and notices will be mailed or personally delivered. Proof of service that any person subject to Commission jurisdiction was served, or was attempted to be served, at the address on file with the Commission shall be adequate to satisfy any notice requirement imposed by these rules. Any person who does not hold a certificate, permit, or license from the Commission, and yet may be subject to the Commission's jurisdiction, may be served wherever such person is found within the state.

002.06G Service of Complaints: The Commission shall serve a copy of any formal or departmental complaint on each respondent listed in the complaint personally or by first class or certified mail. Written proof of such service shall be filed with the Commission. Each respondent who chooses to file a responsive pleading must do so within 20 days from the date of personal service or the date of Commission mailing of the petition or formal complaint.

002.06H All pleadings subsequent to the initial petition, application, or formal complaint shall be served by the party filing such pleading upon all attorneys of record or other representatives of record and upon all unrepresented parties. Service shall be made personally or by first class or certified mail. Written proof of such service shall be filed with the Commission.

002.07 Commencing an Action before the Commission: An action before the Commission is commenced by the filing of a petition, application, or complaint. The Commission, on its own motion, may open investigations or other dockets.

002.08 Hearing Officer; Criteria: The Commission may delegate to a Hearing Officer the functions of conducting any prehearing conference, planning conference, and/or hearing and addressing discovery and evidentiary matters and other non-dispositive matters.

002.08A A Commissioner who has served as investigator, prosecutor, or advocate in a contested case or in its prehearing stage may not serve as Hearing Officer or assist or advise a Hearing Officer in the same proceeding without the consent of all parties.

002.08B A Commissioner who has participated in a determination of probable cause or other equivalent preliminary determination in a contested case may serve as Hearing Officer or assist or advise a Hearing Officer in the same proceeding.

002.08C A Commissioner may serve as Hearing Officer at successive stages of the same contested case.

002.09 Amendments:

002.09A A petition, application, or complaint may be amended at any time before an intervention, protest, or answer is filed or is due, if notice is given. Otherwise, a petitioner, applicant, or complainant must request permission to amend from the hearing officer by filing a motion.

002.09B A hearing officer may also allow, in his or her discretion, the filing of supplemental pleadings alleging facts material to the case occurring after the original pleadings were filed. A Hearing Officer may also permit amendment of pleadings when a mistake appears or when amendment does not materially change a claim or defense.

002.10 Disposition Without Hearing:

002.10A Unless otherwise precluded by law, disposition of any case may be made by stipulation, agreed settlement, consent order, or default and be processed administratively without a hearing.

002.10B Any application, petition, or other initial pleading which is not opposed through a protest or formal intervention within thirty (30) days of the date notice is published may be processed by use of affidavits administratively without a hearing.

002.10C Any petitioner, applicant, or complainant failing to prosecute his or her petition, application, or complaint within ninety (90) days may be subject to an order to show cause as to why the petition, application, or complaint should not be dismissed.

002.11 Prohibitions Against Ex Parte Communications:

002.11A The prohibitions found in this section shall apply beginning at the time a petition is filed. If after thirty (30) days from the date notice of an application or petition is published no interventions or protests are filed, the provisions of section 002.11 prohibiting ex parte communications shall no longer apply to the proceeding.

002.11B With respect to any matter of fact or law at issue in a proceeding and notwithstanding any other provision of law, a member, staff, or agent of the Commission shall not during the pendency of any proceeding heard before the Commission have any ex parte communication with any party having an interest in the outcome of the proceeding. In any

proceeding before the Commission in which the public advocate is a party or is appearing for a party, the public advocate shall be considered a party for purposes of the restrictions on ex parte communications.

002.11C Any Commissioner, member of commission staff, or agent of the Commission who is or may reasonably be expected to be involved in the decision-making process of the proceeding who receives or who makes or knowingly causes to be made an ex parte communication shall file in the record of the proceeding all such written communications, memoranda stating the substance of all such oral communications, and all written responses and memoranda stating the substance of all oral responses to all the ex parte communications. The filing shall be made within two working days of the receipt or making of the ex parte communication. Notice of the filing, with an opportunity to respond, shall be given to all parties of record.

002.12 Intervention and Protest:

002.12A Persons seeking to formally intervene in any matter before the Commission must comply with the following:

002.12A1 A petition for formal intervention must be filed with the Commission within thirty (30) days of the date of publication of notice of an application, petition, or other initial pleading. A copy of the petition must be served by the petitioner for formal intervention upon all parties to the proceeding;

002.12A2 The petition must state the petitioner's name and address; facts demonstrating that the petitioner's legal rights, duties, privileges, immunities, or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as a formal intervenor under any provision of law; and

002.12A3 The Hearing Officer or designee may grant a petition for formal intervention at any time upon determining that the formal intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.

002.12A4 If a petitioner qualifies for formal intervention, the Hearing Officer or designee may impose conditions upon the formal intervenor's participation in the proceedings, either at the time that formal intervention is granted or at any subsequent time. Those conditions may include:

002.12A4a Limiting the formal intervenor's participation to designated issues in which the formal intervenor has a particular interest demonstrated by the petition;

002.12A4b Limiting the formal intervenor's use of discovery, cross examination, and other procedures so as to promote the orderly and prompt conduct of the proceedings; and

002.12A4c Requiring two or more formal intervenors to combine their presentation of evidence and argument, cross examination, discovery, and other participation in the proceedings.

002.12A5 The Hearing Officer or designee shall issue, prior to the establishment of any procedural schedule, an order granting or denying each pending petition for intervention, specifying any conditions and briefly stating the reasons for the order.

002.12A5a The Hearing Officer or designee may modify the order at any time, stating the reasons for the modification.

002.12A5b The Hearing Officer or designee shall promptly give notice of an order granting, denying, or modifying intervention to the petitioner for intervention and to all parties.

002.12B Persons seeking to informally intervene in any matter before the Commission must comply with the following:

002.12B1 A petition for informal intervention shall state the petitioner's name and address and shall give notice of whether the petitioner intends to offer a witness at the hearing. The statement the witness for the petitioner shall be served upon all parties to the proceeding not less than five (5) days prior to the hearing.

002.12B2 A petition for informal intervention may be filed with the Commission within thirty (30) days of the date of publication of notice of the application, petition, or other initial pleading, but not less than five (5) days prior to the hearing. A copy of the petition must be served by the petitioner for informal intervention upon all parties to the proceeding.

002.12B3 Leave to intervene informally will be granted only if the petitioner addresses issues reasonably

pertinent to the issues already presented and does not unduly broaden the scope of the proceeding.

002.12B4 Participation by an informal intervenor is limited to the presentation of a pre-filed statement of a single witness together with exhibits by such witness, and participation in oral argument and submission of briefs. Informal intervenors are not parties and as such are not entitled to cross examine or otherwise interrogate witnesses in the proceeding presented by any party.

002.12C Persons seeking to protest any matter before the Commission must comply with the following:

002.12C1 A protest against the granting of any application shall be filed with the Commission within thirty (30) days from the date of publication of notice of the application. A copy of the protest must be served upon all parties to the proceeding.

002.12C2 A protest against the granting of an application for a certificate authorizing inter-LATA interexchange telecommunications service shall be filed with the Commission within ten (10) days from the date of publication of said notice. A copy of the protest should be served upon all adverse parties, or upon their attorneys of record.

002.12C3 A protest to the granting of an application for temporary motor carrier authority, which the Commission is empowered to grant after not less than five (5) days-notice and without hearing, shall be filed with the Commission within five (5) days after the date such notice is published.

002.12C4 In certain emergency situations, the Commission has the statutory authority to temporarily alter, amend, or suspend any existing rates in force, or to fix any such rates where none exist by issuing an order which prescribes an emergency rate. A protest to the granting of such emergency rate must be filed within fifteen (15) days after notice of the emergency rate.

002.12C5 A protest shall set forth the name and address of the protestant, a statement concerning the interest of the protestant in the application, and a request for the relief sought by the protestant. Additionally, the protest shall set forth specifically the grounds upon which it is made and the facts and circumstances relied upon.

002.13 Subpoenas:

002.13A Witnesses and Documents: The Commission may compel the attendance of witnesses or production of documents through the issuance of a subpoena upon written request of any party, or on order of the Commission or Hearing Officer.

002.13A1 Requests for subpoenas must be filed with the Commission at least ten (10) days prior to the date the witness is expected to attend or the date the production of documents is expected to occur.

002.13A2 Witness fees shall be paid as provided by law in attendance at any district court in this state. The sheriff or constable executing any process of the Commission shall receive such compensation as is provided by law for performing similar services. Any such fee shall be paid by the party requesting the subpoena.

002.13A3 Any Motion to Quash a subpoena shall be filed in writing with the Commission and served on all parties to a proceeding by the movant in compliance with Rule 004.06C. The hearing officer may grant or deny the motion in whole or in part or may schedule oral argument on the motion.

002.13B Failure to Comply with Subpoena:

002.13B1 Any witness failing or refusing to obey any subpoena issued by the Commission, or to produce before the Commission such books, papers, documents or records as shall have been enumerated and required in any subpoena, or failing or refusing, when before the Commission, to give testimony lawfully required by it, or failing or refusing to answer such questions as may be propounded by it which such witness would be required to answer if in court, the witness shall be guilty of a misdemeanor, and upon conviction thereof, for each offense, shall be fined in any sum not exceeding five thousand dollars (\$5,000.00).

002.13B2 The claim that any such testimony may tend to incriminate the witness shall not excuse the witness from testifying, but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

002.14 Discovery:

002.14A The use of depositions and discovery in proceedings before the Commission is governed by the rules and regulations

of the Nebraska Supreme Court unless otherwise ordered by the Hearing Officer.

002.14B The Hearing Officer or a designee, at the request of any party or upon the Hearing Officer's own motion, may issue subpoenas, discovery orders, and protective orders in accordance with the rules of civil procedure except as may otherwise be prescribed by law. Subpoenas and orders issued under this subsection may be enforced by the district court.

002.14C Any motion to compel discovery, motion to quash, motion for protective order or other discovery-related motion shall:

002.14C1 Quote the interrogatory, request, question, or subpoena at issue, or be accompanied by a copy of the interrogatory, request, subpoena or excerpt of a deposition;

002.14C2 State the reasons supporting the motion;

002.14C3 Be accompanied by a statement setting forth the steps or efforts made by the moving party or his or her counsel to resolve by agreement the issues raised and that agreement has not been achieved; and

002.14C4 Be filed with the Commission. The moving party must serve copies of all such motions to all parties to the contested case.

002.14D Other than as provided in subsection 002.14C4 above, discovery materials need not be filed with the Commission.

002.15 Commission Decisions and Orders:

002.15A A Commission order entered disposing of a matter pending before the Commission shall be written and shall recite the following:

002.15A1 A discussion of the facts of a basic or underlying nature;

002.15A2 The ultimate facts; and

002.15A3 The Commission's reasoning or other authority relied upon by the Commission.

002.15B Every decision and order rendered by the Commission after a civil penalty hearing is held pursuant to section 75-156 shall be in writing and accompanied by findings of facts and conclusions of law. The decision or order shall be sent to the parties by certified or registered mail.

002.15C Parties to the proceeding shall be notified of the decision and order in person or by mail. A copy of the decision and order and accompanying findings and conclusions shall be delivered or mailed upon request to each party or his or her attorney of record.

002.15D Every order of the Commission shall become effective ten (10) days after the date of the mailing of a copy of the order to the parties of record except:

002.15D1 When the Commission prescribes an alternate effective date;

002.15D2 As otherwise provided with respect to emergency rate orders entered pursuant to section 75-121 and rate orders entered pursuant to section 75-139;

002.15D3 For cease and desist orders issued pursuant to section 75-133 which shall become effective on the date of entry; or

002.15D4 For orders granting temporary approval of a lease of a regulated motor carrier property and certificates or permits sought to be acquired entered pursuant to section 75-319 which shall become effective on the date of entry.

002.15E When any application has been denied, in whole or in part, a subsequent application covering substantially the same subject matter will not be considered by the Commission within ninety (90) days from the date of the final denial, in whole or in part, of the previous application, except for good cause shown.

002.16 Motions for Reconsideration and Appeals:

002.16A Except with respect to rate orders under the State Natural Gas Regulation Act, any party may file a motion for reconsideration with the Commission within ten (10) days after the effective date of the order.

002.16A1 The filing of a motion for reconsideration shall suspend the time for filing a notice of intention to appeal pending resolution of the motion.

002.16A2 If the Commission does not dispose of a motion for reconsideration within sixty (60) days after the filing of the motion, the motion shall be deemed denied.

002.16B Any party to a general rate proceeding under the State Natural Gas Regulation Act may file a motion for

reconsideration within thirty (30) days after the day an order setting natural gas rates is entered by the Commission.

002.16B1 The filing of a motion for reconsideration shall stay the order until the earlier of the date the Commission enters an order resolving the motion or one hundred twenty (120) days from the date of the order setting rates.

002.16B2 Either party shall have thirty (30) days after the date the Commission enters an order resolving the motion or the expiration of the one hundred twenty (120) day period for considering the motion, whichever is earlier, in which to file an appeal.

002.16C Appeal of a Commission order shall be taken in the same manner and time as appeals from the district court, except that the appellate court shall conduct a review of the matter de novo on the record. Appeal of a Commission order shall be perfected by filing a notice of intention to appeal with the Executive Director of the Commission within thirty (30) days after the effective date of the order.

003 RULES OF PRACTICE AND PROCEDURE FOR HEARINGS IN CONTESTED CASES:

003.01 Contested Case: A matter filed with the Commission is deemed to be a contested case if:

003.01A a person files a petition or application with the Commission and a person files a formal intervention or protest within thirty (30) days of the date notice is published;

003.01B a person files a formal complaint with the Commission;

003.01C a departmental complaint is filed with the Commission; or

003.01D a matter is declared to be a contested case upon the Commission's own motion.

003.02 Parties: The parties to a contested case shall be the petitioner, applicant, complainant, or other person by whom a contested case is brought and the respondent or person against whom a contested case is brought and includes any formal intervenors or protestants.

003.03 Hearing: Unless state law provides that a hearing is not required, a hearing date shall be set by the Commission in accordance with statutory requirements. A written notice of the

time and place of hearing and the name of the Hearing Officer, if known, shall be served by the Commission upon all attorneys of record or other representatives of record and upon all unrepresented parties. The notice must include a proof of such service and will be filed with the Commission.

003.04 Formal Intervention in a Contested Case: ~~Subsequent to the initial thirty (30) day period following the publication of an application or petition, if a matter has not been disposed of pursuant to 002.10B, persons seeking to formally intervene in a matter must file with the Commission a petition for formal intervention in compliance with the requirements set forth in section 002.12A2 at least five (5) days before a hearing. The Hearing Officer must dispose of the petition for formal intervention consistent with 002.12A3 through 002.12A5 except the Hearing Officer shall dispose of the petition at least twenty four (24) hours prior to the hearing. Any person who has an interest in any proceeding pending before the Commission but who does not desire to file a formal protest, may file a Petition of Formal Intervention. Such person shall be designated as a "formal intervenor", and shall become a party to the proceeding.~~

003.04A Content: A Petition of Formal Intervention shall set forth the name and address of the intervenor, a statement of the interest of the intervenor in the proceeding, the grounds upon which the intervention is made and shall specify the facts and circumstances relied upon for such intervention.

003.04B: When Filed; Service: A Petition of Formal Intervention shall be filed with the Commission within the timeframe specified in 02.12C1 for the filing of a formal protest. A copy of the Petition of Formal Intervention shall be served upon all parties of record to the proceedings or upon their attorneys of record.

003.04C: Participation in the Proceedings: A formal intervenor shall be entitled to participate in the proceeding to the extent of his/her express interest in the matter. Such participation may include, presentation of evidence and argument, cross-examination of witnesses and submission of rebuttal evidence. As a party, a formal intervenor shall have the right of appeal.

003.05 Informal Intervention in a Contested Case: ~~Subsequent to the initial thirty (30) day period following the publication of an application or petition, if a matter has not been disposed of pursuant to 002.10B, persons seeking to informally intervene in a matter must file with the Commission a petition for informal intervention in compliance with the requirements set forth in section 002.12B at least five (5) days before a hearing. The Hearing Officer must dispose of the petition for informal intervention consistent with 002.12B. Any person may file a~~

Petition of Informal Intervention. Such a Petition of Informal Intervention. Such Petition of Informal Intervention shall set forth the information required in 003.04A above. Any person who files a Petition of Informal Intervention shall be designated as an "Informal Intervenor".

003.05A When Filed: A Petition of Informal Intervention shall be filed not later than fifteen days prior to the date the hearing in the proceeding commences and shall be accompanied by the statement referred to in 003.05C and any exhibits to be offered by the Informal Intervenor's witness at the hearing. A copy of the Petition of Informal Intervention and all accompanying pre-filed material shall be served on all parties to the proceeding, or upon their attorneys of record.

003.05B Approval by the Commission: Leave to intervene informally shall be granted only if the petitioner addresses issues reasonably pertinent to the issues already presented and does not unduly broaden the scope of the proceeding. If leave is granted by the Commission, the petition becomes an informal intervenor but does not become a party to the proceeding.

003.05C Participation in the Proceedings: Participation by an informal intervenor shall be limited to the presentation of a pre-filed statement of a single witness together with exhibits by such witness, and participation in oral argument submission or briefs. An informal intervenor shall not be permitted to engage in discovery or cross-examine or otherwise interrogate the witnesses in the proceeding called by any party. An informal intervenor providing a statement at a hearing may be subject to cross-examination by the other parties to the proceeding.

003.06 Prehearing Procedures:

003.06A A Hearing Officer designated to conduct a hearing may determine, subject to the Commission's rules and regulations, whether a prehearing conference will be conducted. If a prehearing conference is not held, a Hearing Officer for the hearing may issue a prehearing order, based on the pleadings, to regulate the conduct of the proceedings.

003.06A1 If a prehearing conference is conducted the following shall apply:

003.06A1a The Hearing Officer shall promptly notify the Commission of the determination that a prehearing conference will be conducted. The Commission may assign another Hearing Officer for the prehearing conference; and

003.06A1b The Hearing Officer for the prehearing conference shall set the time and place of the

conference and give reasonable written notice to all parties and to all persons who have filed written petitions to intervene in the matter. The Commission shall give notice to other persons entitled to notice.

003.06A1c The notice referred to in subsection 004.05A1b shall include the following:

003.06A1c(i) The names and mailing addresses of all parties and other persons to whom notice is being given by the Hearing Officer;

003.06A1c(ii) The name, official title, mailing address, and telephone number of any counsel or employee who has been designated to appear for the Commission;

003.06A1c(iii) The official file or other reference number, the name of the proceeding, and a general description of the subject matter;

003.06A1c(iv) A statement of the time, place, and nature of the prehearing conference;

003.06A1c(v) A statement of the legal authority and jurisdiction under which the prehearing conference and the hearing are to be held;

003.06A1c(vi) The name, official title, mailing address, and telephone number of the Hearing Officer for the prehearing conference;

003.06A1c(vii) A statement that a party who fails to attend or participate in a prehearing conference, hearing, or other stage of a contested case or who fails to make a good faith effort to comply with a prehearing order may be held in default under the Administrative Procedure Act; and

003.06A1c(viii) Any other matters that the Hearing Officer considers desirable to expedite the proceedings.

003.06A2 The Hearing Officer shall conduct a prehearing conference, as may be appropriate, to deal with such matter as exploration of settlement possibilities, preparation of stipulations, clarification of issues, rulings on identity and limitation of the number of witnesses, objections to proffers of evidence, determination of the extent to which direct evidence,

rebuttal evidence, or cross-examination will be presented in written form and the extent to which telephone, television, or other electronic means will be used as a substitute for proceedings in person, order of presentation of evidence and cross examination, rulings regarding issuance of subpoenas, discovery orders, and protective orders, and such other matters as will promote the orderly and prompt conduct of the hearing. The Hearing Officer shall issue a prehearing order incorporating the matters determined at the prehearing conference.

003.06A3 The Hearing Officer may conduct all or part of the prehearing conference by telephone, television, or other electronic means if each participant in the conference has an opportunity to participate in, to hear, and, if technically feasible, to see the entire proceeding while it is taking place.

003.06B The Hearing Officer or staff designated by the Hearing Officer may conduct informal planning conferences during the pendency of an action to discuss scheduling, discovery, and other procedural issues.

003.07 Continuances: The Hearing Officer may, in his or her discretion, grant extensions of time or continuances of hearings upon the Hearing Officer's own motion or at the timely request of any party for good cause shown. A party must file a written motion for continuance which states in detail the reasons why a continuance is necessary and serve a copy of the motion on all other parties.

003.07A Good cause for an extension of time or continuance may include, but is not limited to, the following:

003.07A1 Illness of the party, legal counsel or witness;

003.07A2 A change in legal representation; or

003.07A3 Settlement negotiations are underway.

003.08 Conducting a Contested Case Hearing:

003.08A At the discretion of the Hearing Officer, the hearing may be conducted in the following order:

003.08A1 The hearing is called to order by the Hearing Officer. Any preliminary motions, stipulations or agreed orders are entertained.

003.08A2 Each party may be permitted to make an opening statement. Opening statements take place in the same order as the presentation of evidence.

003.08B Evidence will be received in the following order. Presentation of evidence by Commission staff may be offered during the hearing at the discretion of the Hearing Officer:

003.08B1 Evidence is presented by the applicant, petitioner, or complainant;

003.08B2 Evidence is presented by the intervenor, protestant, or respondent;

003.08B3 Rebuttal evidence is presented by the applicant, petitioner, or complainant; and

003.08B4 Surrebuttal evidence is presented by the intervenor, protestant, or respondent, if permitted by the Hearing Officer. If surrebuttal evidence is permitted, the applicant, petitioner, or complainant shall have an opportunity to respond.

003.08C With regard to each witness who testifies, the following examination may be conducted:

003.08C1 Direct examination conducted by the party who calls the witness;

003.08C2 Cross examination by the opposing party;

003.08C3 Redirect examination by the party who called the witness; and

003.08C4 Recross examination by the opposing party, if permitted by the Hearing Officer. If recross is permitted, the party sponsoring the witness shall have an opportunity to respond.

003.08D After the evidence is presented, each party may request the opportunity to make a closing argument. Closing arguments shall be made in the same order as the presentation of evidence. The Hearing Officer may limit the time allowed for each party's closing argument, however, each party will be allowed equal time. The Hearing Officer may request that the parties file briefs.

003.09 Evidence:

003.09A In contested cases the Commission or Hearing Officer may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably

prudent persons in the conduct of their affairs and may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

003.09B Any party to a formal hearing before the Commission, from which a decision may be appealed to the courts of this state, may request that the Commission be bound by the rules of evidence applicable in district court by delivering to the Commission, at least three (3) days prior to the holding of the hearing, a written request therefore. Such request shall include the requesting party's agreement to be liable for the payment of costs incurred thereby and upon any appeal or review thereof, including the cost of court reporting services which the requesting party shall procure for the hearing.

003.09C Documentary evidence may be received in the form of copies or excerpts or incorporated by reference.

003.09D All evidence including records and documents in the possession of the Commission of which it desires to avail itself shall be offered and made a part of the record in the case. No factual information or evidence other than the record shall be considered in the determination of the case.

003.09E A Hearing Officer or designee may administer oaths and issue subpoenas in accordance with the rules of civil procedure except as may otherwise be prescribed by law. Subpoenas and orders issued under this subsection may be enforced by the district court.

003.09F The Commission shall give effect to the rules of privilege recognized by law.

003.09G The Commission may take official notice of cognizable facts and in addition may take official notice of general, technical, or scientific facts within its specialized knowledge and the rules and regulations adopted and promulgated by the Commission.

003.09G1 Parties shall be notified either before or during the hearing or by reference in preliminary reports or otherwise of materials so noticed.

003.09G2 Parties shall be afforded an opportunity to contest facts so noticed.

003.09G3 The record shall contain a written record of everything officially noticed.

003.09H The Commission may utilize its experience, technical competence and specialized knowledge in the evaluation of the evidence presented to it.

003.09I The Hearing Officer may conduct all or part of the hearing by television, or other electronic means if each participant in the hearing has an opportunity to participate in, to hear, if technically feasible, to see the entire proceeding while it is taking place, and oaths can be properly administered to witnesses.

003.09J Testimony of a witness may be adduced by use of a prepared statement, if the witness is present for cross examination.

003.09K The Hearing Officer may authorize any party to furnish and serve designated late filed exhibits within a specified time after the close of the hearing.

003.10 Official Record:

003.10A The Commission shall prepare an official record, which shall include testimony and exhibits, in each contested case, but it shall not be necessary to transcribe the record of the proceedings unless requested for purpose of rehearing or appeal, in which event the transcript and record shall be furnished by the Commission upon request and tender of the cost of preparation.

003.10B The Commission shall maintain an official record of each contested case under the Administrative Procedure Act for at least four (4) years following the date of the final order.

003.10C The Commission record shall consist only of the following:

003.10C1 notices of all proceedings;

003.10C2 any pleadings, motions, requests, preliminary or intermediate rulings and orders, and similar correspondence to or from the Commission pertaining to the contested case;

003.10C3 the record of the hearing before the Commission, including all exhibits and evidence introduced during such hearing, a statement of matters officially noticed by the Commission during the proceeding, and all proffers of proof and objections and rulings thereon;

003.10C4 any notices of any ex parte communications and responses thereto filed pursuant to section 004.01C; and

003.10C5 the final order.

003.10D The Commission record shall constitute the exclusive basis for Commission action in contested cases under the act.

003.11 Costs: All costs of a formal hearing shall be paid by the party or parties as may be ordered by the Commission.

004 FORMAL AND DEPARTMENTAL COMPLAINTS:

004.01 Applicability: The following apply to formal complaints and departmental complaints in addition to the requirements set forth in section 004. To the extent a conflict exists between section 003 and 004 with respect to a formal complaint or departmental complaint, section 004 controls.

004.02 Departmental Complaint:

004.02A A departmental complaint shall contain the name of the complainant, the name of the respondent, a clear and concise allegation of each offense in terms of each applicable statute, rule or Commission order, the requested relief, and be signed by the complainant.

004.02B An answer to a departmental complaint shall be filed and shall admit or deny each material allegation of the departmental complaint. The answer shall set forth any affirmative defense which respondent may assert.

004.02B1 The answer shall be filed with the Commission within twenty (20) days after service of the complaint.

004.02B2 Except for good cause shown, failure to answer will be construed as an admission of the allegations in the complaint. The fact that a failure to answer will be construed as an admission to the allegations in the complaint shall be included in the complaint served upon respondent.

004.03 Formal Complaints:

004.03A A formal complaint shall contain the name of the complainant, the name of the respondent, a clear and concise allegation of each offense, the requested relief, and be signed by the complainant.

004.03B An answer to a formal complaint shall be filed and shall admit or deny each material allegation of the complaint. The answer shall set forth any affirmative defense which the defense may assert. The Commission shall have the discretion, upon proper showing, to dismiss the formal complaint or require further action.

004.03B1 The answer shall be filed with the Commission within twenty (20) days after service of the complaint.

004.03B2 Except for good cause shown and except where a Statement of Satisfaction has been filed and accepted, failure to answer will be construed as an admission of the allegations in the complaint.

004.03C A respondent to a formal complaint may file with the Commission a Statement of Satisfaction of the formal complaint.

004.03C1 Such Statement of Satisfaction shall be filed with the Commission within ten (10) days after service of the complaint upon respondent.

004.03C2 Respondent shall serve a copy of the Statement of Satisfaction upon the complainant.

004.03C3 Within five (5) days after receipt of the Statement of Satisfaction by complainant, complainant may file a Statement of Acceptance, a copy of which shall be served upon respondent. The respondent may then move for dismissal at any time prior to the time set for hearing on the complaint.

004.03C4 If a Statement of Satisfaction is filed by the respondent but is not accepted by the complainant, the respondent shall file an answer with the Commission within twenty (20) days from the date of service of the Statement of Satisfaction with a copy thereof being served on complainant.

005 ORDERS TO SHOW CAUSE:

005.01 General: The Commission may, by order, compel any person to whom it has granted authority to show good cause as to why the authority should not be suspended, changed, revoked in whole or in part, or why the holder of the certificate for such authority should not be subject to an administrative fine as provided for in Commission rules.

005.02 Content: An order to show cause shall contain the name of the respondent, a clear and concise allegation of each cause for which the Commission requires a showing, and be signed by the

Executive Director. The show cause order shall specifically advise the respondent of the alleged violation or violations and the time and place of the hearing on such order.

005.03 Cease and Desist Order: The Commission may, after proper notice and hearing, enter a cease and desist order or any order the Commission deems just and reasonable.

006 COMMISSION INVESTIGATIONS:

006.01 General: The Commission may, at any time on its own motion, conduct an investigation or order any hearing which the Commission is authorized by law or inherent power to conduct.

006.02 Order to Appear: The Commission may, by order, compel any person to appear in an investigative proceeding. The order will state the purpose or scope of the investigation and the time and place of the hearing.

006.03 Investigations/Penalty: If it shall appear, as the result of an investigative hearing by the Commission, that any person who has been personally served has violated the provisions of any statute over which the Commission has jurisdiction or the rules of the Commission, the Commission may order such person to cease and desist or enter any order justified in the premises.

007 CIVIL PENALTY PROCEDURES:

007.01 Purpose and Scope:

007.01A The purpose of this section is to establish procedures which the Commission will follow when civil penalties are sought against any person as defined in Neb. Rev. Stat. § 75-139.01 pursuant to § 75-156.

007.01B For purposes of these rules, civil penalty shall have the same meaning as administrative fine and these terms may be used interchangeably.

007.02 Assessing Civil Penalties:

007.02A In addition to other penalties and relief provided by law, the Commission may, upon a finding that a violation is proven by clear and convincing evidence, assess a civil penalty of up to ten thousand dollars (\$10,000) per day against any person for each violation.

007.02B The civil penalty assessed under these rules shall not exceed two million dollars (\$2,000,000) per year for each violation. For purposes of this rule, year shall mean calendar year which is the period from January 1 to December 31 inclusive.

007.02C The Commission shall have discretion in determining the appropriate amount of the civil penalty assessed for each violation. In determining the amount of the penalty, the Commission shall consider:

007.02C1 The appropriateness of the penalty in light of the gravity of the violation; and,

007.02C2 The good faith of the violator in attempting to achieve compliance after notification of the violation.

007.03 Initiation of Civil Penalty Proceedings Before the Commission:

007.03A A civil penalty proceeding may be initiated by any person by the filing of a formal complaint or departmental complaint with the Executive Director or the issuance of an order to show cause. The complaint initiating a civil penalty proceeding shall (1) consist of a written pleading signed by the complainant or his or her legal representative containing the names of the complainant and the alleged violator or violators; (2) set forth the date, facts, and nature of each act or omission upon which each charge of a violation is based; (3) specifically identify the particular statute, certificate, permit, rule, regulation, or order allegedly violated; (4) contain a prayer stating the type of relief, action, or order desired by the complainant; (5) inform the respondent that pursuant to Commission rules, failure to answer will be construed as an admission of the allegations in the complaint; and, (6) that upon failure to pay any civil penalty determined by the Commission, such civil penalty may be collected by civil action in the District Court of Lancaster County.

007.03A1 In the case of a formal complaint, a hearing fee may be assessed against the complainant in the amount established by the Commission and as provided by law for hearing fees. If the respondent is found to have committed the violation or violations named in the formal complaint, the hearing costs assessed, if any, shall be refunded to the complainant. If the respondent is found to have committed the violation or violations named in the formal complaint, the respondent may be assessed the cost(s) of the hearing.

007.03B Before a formal complaint filed pursuant to an alleged violation of sections 75-301 to 75-390 by anyone other than the Commission can proceed to a hearing, a copy of said complaint shall be delivered to the Executive Director of the Commission. The Director shall have thirty (30) days to

intervene in support of said complaint, intervene in opposition to said complaint, or issue a letter advising the complainant that the Commission has taken no position in the proceeding. In the event the Director takes no action after the thirty (30) day period has expired, the complainant may proceed to a hearing on the complaint no earlier than thirty (30) days after notice is served upon the respondent named in the complaint. Nothing contained herein shall preclude the Commission from intervening as otherwise allowed under the rules of the Commission.

007.03C When a complaint is filed with the Commission, wherein the respondent may be subject to a civil penalty under state law and these rules, the Commission shall notify such respondent in writing (1) setting forth the date, facts, and nature of each act or omission upon which each charge of a violation is based; (2) specifically identifying the particular statute, certificate, permit, rule, regulation, or order allegedly violated; (3) that a hearing will be held and give notification of the time, date, and place of such hearing; (4) that, in addition to a civil penalty, the Commission may enforce additional penalties and relief as provided by law; (5) that pursuant to Commission rules, failure to answer will be construed as an admission of the allegations in the complaint. Failure to file an answer or to appear at the hearing allows the Commission to enter an order assessing a civil penalty as provided by law for the violation or violations alleged in the complaint, or the Commission may proceed with a hearing to receive evidence of the alleged violation or violations and may assess civil penalties as provided by law; and, (6) that upon failure to pay any civil penalty determined by the Commission, such civil penalty may be collected by civil action in the District Court of Lancaster County.

007.03D A copy of the complaint described in 007.03A and the notice information specified by 007.03C shall be sent by the Commission to the respondent pursuant to the Service and Notice provisions as contained in Commission rules.

007.03E Supplemental pleadings filed by a party shall be in writing and be filed with the Commission and distributed by him or her to all interested parties under a certificate of service at any time until five (5) days before the hearing date. Supplemental pleadings filed five (5) days or less prior to the hearing date may be allowed by the Hearing Officer upon a showing of good cause and undue surprise does not disadvantage other parties of record. A civil penalty proceeding shall not be cumulative of all other remedies available under state law and the rules of the Commission. Nothing herein shall be construed so as to preclude the Commission or any other party, person, or entity from seeking

any remedy in law or equity not specifically provided for in this section.

007.03F A complaint may be withdrawn by the party who filed the complaint without prejudice to refile upon the same facts if the Commission approves the withdrawal as provided by these rules.

007.04 Answer:

007.04A The respondent shall file with the Commission a written answer in the manner required by these rules no later than twenty (20) days after the date on which notice is given.

007.04B If the respondent fails to timely file an answer as required by this subsection, or fails to appear at the hearing, the Commission may enter an order which assesses a civil penalty as provided by law for the violation or violations alleged in the complaint, or the Commission may proceed with a hearing to receive evidence on the alleged violation or violations and the Commission may assess civil penalties or an administrative fine as provided by law.

007.05 Settlement Orders:

007.05A A respondent may enter into a compromise settlement agreement and proposed final order prior to a hearing pursuant to section 75-157 which does not constitute an admission by the respondent of any alleged violation or violations contained in the civil penalty complaint. Such agreement and proposed final order shall be signed by the respondent and all parties to the proceeding and shall reflect that the respondent consents to the assessment of a specific civil penalty or administrative fine. Settlement of the matters raised by the complaint in a proposed final order containing a recommended penalty are subject to the approval of the Commission.

007.05B If the respondent and all parties to the proceeding enter into a compromise settlement agreement and proposed final order, the settlement of the complaint may include a recommended penalty to the Commission. If a recommended penalty is included as part of the compromise settlement agreement and proposed final order, simultaneous with the filing of a compromise settlement agreement and proposed final order, the respondent shall remit to the Commission a cashier's check or money order in the amount of the recommended penalty payable to the Treasurer of the State of Nebraska. These funds shall be held in a contingent liability account until appropriately allocated upon final order. The compromise settlement agreement and proposed final order shall be filed with the Commission by the Commission's

counsel. If the Commission approves the agreement and proposed order, the civil penalty proceeding shall cease. If the Commission does not approve the proposed order, a hearing on the civil penalty complaint shall be held.

007.06 Post Order Requirements:

007.06A On the issuance of a final order finding that the violation or violations have occurred, the Commission shall inform the respondent or the respondent's legal representative no later than five (5) business days of the rendition of the order and of the amount of the penalty, if any.

007.06B Within the thirty (30) day period immediately following the day on which the Commission's final order is mailed, the respondent who has not previously paid all the civil penalty ordered to be paid shall pay the penalty in full by remitting a cashier's check, electronic transfer or money order to the Commission payable to the Treasurer of the State of Nebraska. The Commission shall then promptly forward the cashier's check or the money order to the State Treasurer as provided by law.

007.07 Collection of Penalty in Lieu of Payment: A civil penalty assessed pursuant to these rules and unpaid shall constitute a debt to the State of Nebraska which may be collected in the manner of a lien foreclosure or sued for and recovered in a proper form of action in the name of the state in the District Court of Lancaster County. Any civil penalty collected by the Commission pursuant to such judicial proceedings shall be transmitted within thirty (30) days from receipt to the Treasurer of the State of Nebraska for deposit in the permanent school fund pursuant to section 75-158.

008 RULE MAKING PETITIONS:

008.01 Petition: Any person may petition the Commission requesting the promulgation, amendment, or repeal of a rule or regulation.

008.02 Form: The petition shall:

008.02A Be clearly designated as a petition for a rule change;

008.02B In the case of a proposed new rule or amendment of an existing rule, shall set forth the desired rule in its entirety;

008.02C In the case of a petition for the repeal of an existing rule, such shall be stated and the rule proposed to be repealed shall either be set forth in full or shall be referred to by the Commission rule number;

008.02D Describe the reason for the rule change;

008.02E Include an address and telephone at which the petitioner can be reached during regular work hours; and

008.02F Be signed by:

008.02F1 The petitioner or his or her attorney in which case the attorney shall also state his or her address and telephone number and bar number; or

008.02F2 A duly authorized officer of the petitioner, if petitioner is a corporation or other legal entity.

008.03 Within sixty (60) days after submission of a petition, the Commission shall:

008.03A Deny the petition in writing, stating its reasons therefor;

008.03B Initiate rulemaking or regulation making proceedings in accordance with the Administrative Procedure Act; or

008.03C If otherwise lawful, adopt a rule or regulation.

009 PETITIONS FOR DECLARATORY ORDER:

009.01 Generally: A request for a declaratory order must be made by a petition that meets the requirements of section 009.

009.02 Who May File: Any person may petition the Commission for issuance of a declaratory order as to the applicability to specified circumstances of a statute, rule, regulation, or order which is within the primary jurisdiction of the Commission.

009.03 When Order Is Appropriate: A declaratory order may be requested on the applicability of a statute, rule, regulation, or order enforced by the Commission. "Applicability" refers to the appropriateness of the relation of the law to the person, property, or state of facts, or its relevance under the circumstances given. It may include such questions as whether the law applies at all, to whom it applies, when it applies, how it applies, or which law applies. Considerations as to whether issuance of a declaratory order is appropriate include:

009.03A A declaratory order may be requested only on the applicability of existing statutes and rules and regulations.

009.03B A declaratory order may be requested to obtain a determination of proposed conduct, not to obtain a

determination of the effect of conduct that has already occurred.

009.03C A declaratory order is not a mechanism for review or appeal of a decision made by the Commission in a contested case.

009.03D A declaratory order may not be requested to obtain a declaration by the Commission that a statute or regulation is unconstitutional or that a regulation of the Commission is invalid.

009.03E A declaratory order may not be issued by the Commission that would substantially prejudice the rights of a person who would be a necessary party and who does not consent in writing to the determination of the matter by a declaratory order proceeding.

009.04 Form of Petition: A petition for declaratory order shall be in the form of either a pleading or letter which shall contain each of the following:

009.04A A caption, which shall include:

009.04A1 The venue "BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION";

009.04A2 A heading specifying the subject matter and the name of the petitioner; and

009.04A3: The name of the pleading as "PETITION FOR DECLARATORY ORDER".

009.04B The statements required in subsection 009.05 of this chapter.

009.04C The signature of the petitioner, or when represented by an attorney, the signature of the attorney.

009.04D The name and address of the petitioner, and when represented by an attorney, the name, address, telephone number, and bar number of the attorney.

009.04E The petition shall be made on white, letter-sized (8-1/2" x 11") paper.

009.04F The petition shall be legibly typewritten, photostatically reproduced, printed, or handwritten. If handwritten, the petition must be written in ink. Only one side of a page shall contain any writing.

009.04G Any documents attached to a petition shall be securely fastened to the pleading and shall meet the requirements of 009.04E and 009.04F and, when possible, be reproduced on 8-1/2" x 11" paper or placed in an 8-1/2" x 11" envelope and clearly marked as an attachment to the petition.

009.05 Contents of Petition: To be considered, the petition shall include the following:

009.05A The name and address of the petitioner;

009.05B The name and address of all persons or entities, known to the petitioner, who may have a specific interest in the applicability of the statute, rule, regulation, or order or who may be adversely affected by the issue sought to be resolved by the petitioner.

009.05C The statute, rule, regulation, or order upon which the petitioner seeks issuance of a declaratory order;

009.05D A detailed statement of all of the material facts and specific circumstances which apply to petitioner's request for issuance of a declaratory order;

009.05E All propositions of law or contentions asserted by the petitioner;

009.05F A demand for the relief to which the petitioner alleges entitlement. The petition shall state the petitioner's position as to how the Commission should rule and why the Commission should rule in the manner requested; and

009.05G Any documents pertinent to the petition that the petitioner wishes to be considered by the Commission.

009.06 Verification: The Petition shall be subscribed and verified by the petitioner. If the petitioner is a corporation, political subdivision, or other entity, then the petition shall be subscribed and verified by a duly authorized agent of the petitioning entity.

009.07 Written Consents: The petitioner shall also attach to the petition any written consents obtained from any necessary party that the petition may be determined by use of a declaratory order proceeding.

009.08 Submission and Service of Declaratory Order Petition:

009.08A The original petition for declaratory order shall be filed with the Commission by mail or in person during the Commission's normal business hours.

009.08B The petition shall be deemed as filed when it is actually received by the Commission. The Commission shall date stamp all petitions upon receipt.

009.08C At the same time the petition is filed with the Commission, the petitioner shall serve a copy of the petition, by certified mail, return receipt requested, on all necessary parties, including all persons, political subdivisions, corporations, organizations, or other entities who are known to have or claim any interest, legal right, duty, privilege, or immunity which would be directly affected by issuance of a declaratory order in this matter by the Commission.

009.09 Disposition of the Petition:

009.09A Upon the filing of a petition, the Commission may, in its discretion, do one or more of the following:

009.09A1 Require that additional information be filed before the petition will be further considered;

009.09A2 Require a petitioner to provide notice to persons or entities who may be necessary parties and other persons that a request for a declaratory order has been filed with the Commission;

009.09A3 Schedule a date, time, and location at which the petitioner and any other parties to the proceeding may make an oral presentation on the petition; or

009.09A4 Consider the petition and any attachments without oral presentation.

009.09B Within thirty (30) days after the petition is filed, the Commission shall, in writing:

009.09B1 Issue an order declaring the applicability of the statute, regulation, rule, or order in question to the specified circumstances; or

009.09B2 Agree to issue an order by a specified time declaring the applicability of the statute, regulation, rule, or order in question to the specified circumstances; or

009.09B3 Set the matter for specified proceedings as set forth in subsection 009.09 of this Chapter; or

009.09B4 Decline to issue a declaratory ruling, stating the reasons for the Commission's decision.

009.09C Notwithstanding section 009.09B of this rule, the Commission may determine at any time that it will not issue a declaratory order if issuance of an order under the circumstances would be contrary to any provisions of section 009.013 of this Chapter. The Commission shall notify the petitioner and, if applicable, any intervenor or necessary party in writing when the Commission determines not to issue a declaratory order.

009.10 Intervention in Declaratory Order Proceeding:

Intervention by any person or entity in a declaratory order proceeding shall be allowed when the following requirements are met:

009.10A A petition for intervention must be filed in writing with the Commission. Copies must be mailed to all parties to the proceeding.

009.10B The petition for intervention shall be submitted to the Commission, in writing, on 8 1/2" x 11" white paper, and shall include each of the following:

009.10B1 The statute, regulation, rule, or order that may apply to or effect the person, property, entity, or facts at issue in the matter;

009.10B2 A statement of facts sufficient to show the intervenor's interest;

009.10B3 A statement of facts which demonstrate that the intervenor's legal rights, duties, privileges, immunities, or other legal interests may be substantially affected by the proceeding or that the intervenor may intervene pursuant to a provision of law;

009.10B4 All propositions of law or contentions asserted by the intervenor; and

009.10B5 A statement of the specific relief requested by the intervenor.

009.10C The Commission must determine that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

009.10D The Commission may, at its discretion, invite any person or entity to file a petition for intervention.

009.10E The Commission shall grant a petition for intervention if the requirements of § 009.010 are satisfied.

009.10F The Commission shall deny a petition for intervention upon determining that the interests of justice or the orderly and prompt conduct of the proceedings would be impaired by allowing the intervention.

009.10G The Commission's decision to grant or deny a petition for intervention shall be in writing and served upon all parties.

009.11 Declaratory Order Proceedings:

009.11A Oral argument shall be had only on specific order of the Commission. A petitioner, intervenor, necessary party, or the Commission may file a motion for oral argument with the Commission. If opportunity for oral argument is granted, then argument shall be scheduled to be conducted not more than forty-five (45) days after filing of the petition. Petitioner and all other parties or, when represented, their attorneys, shall be served by the Commission with a notice of the date, time, and location for oral argument. The Commission shall provide each of the parties with notice of the proceeding not less than seven (7) days in advance of the scheduled date. Service shall be made by certified mail, return receipt requested.

009.11B Oral argument will be made before the Commission. The Hearing Officer shall be in control of the proceeding and shall:

009.11B1 Identify the proceeding and introduce himself or herself and identify each party for the record;

009.11B2 Hear the oral argument of the petitioner, intervenor, or necessary parties; and

009.11B3 Close the proceedings.

009.11C At the declaratory order proceeding, Commission staff shall have the right to present oral argument.

009.11D The Hearing Officer may impose reasonable time limits on the amount of time allocated to each party for oral argument.

009.11E The parties and Commission staff may file briefs in support of their respective positions. The Hearing Officer

may fix the time and order of filing briefs and may direct that briefs be filed prior to the date of oral argument.

009.11F The oral argument may be conducted either in person or by telephone conference call.

009.12 Issuance of Declaratory Order:

009.12A The Commission shall issue its declaratory order within sixty (60) days of the date on which the petition was filed.

009.12B The declaratory order shall be in writing and shall include the following:

009.12B1 The names of all parties to the proceeding upon which the order is based;

009.12B2 The facts upon which the order is based;

009.12B3 The statute, regulation, rule, or order at issue in the matter;

009.12B4 The Commission's conclusion as to the applicability of the statute, regulation, rule, or order to the facts;

009.12B5 The Commission's conclusion as to the legal effect or result of applying the statute, regulation, rule, or order to the facts; and

009.12B6 The reasons relied upon by the Commission to support its conclusions.

009.12C A copy of the declaratory order shall be served upon each party by certified mail, return receipt requested.

009.12D A declaratory order shall have the same status and binding effect as any other order issued in a contested case.

009.12E If the Commission has not issued a declaratory order within sixty (60) days after the petition has been filed, then the petition shall be deemed to have been denied by the Commission.

009.13 Circumstances Under Which Commission Will Not Issue Declaratory Orders:

009.13A Grounds upon which the Commission shall refuse to issue a declaratory order include, but are not limited to, the following:

009.13A1 The petition requests a declaratory order on a matter that is outside the scope of authority of the Commission;

009.13A2 The petition requests review or appeal of a decision made by the Commission in a contested case;

009.13A3 The petition requests a declaratory order on the effect of past conduct;

009.13A4 An investigation for purposes of a formal adjudication, a contested case, or a petition to issue, amend, or repeal regulations is pending before the Commission involving the petitioner on substantially the same or similar facts or issues raised in the petition;

009.13A5 The petition seeks a declaration that a statute or rule or regulation is unconstitutional or invalid;

009.13A6 The issue raised in the petition has been settled by a change in circumstances or other means so as to render moot the need for a declaratory order;

009.13A7 An order would substantially prejudice the rights of a person or entity who would be a necessary party and who does not consent in writing to the determination of the matter by a declaratory order proceeding;

009.13A8 An order would not resolve the controversy or uncertainty; or

009.13A9 The question posed or facts presented are insufficiently specific, overly broad, or are otherwise inappropriate as a basis upon which to decide the matter.

009.13B Grounds upon which the Commission may determine to refuse to issue a declaratory order include, but are not limited to, the following:

009.13B1 Refusal is necessary to assure adequate allocation of Commission resources are available for issuing rulings on petitions raising questions of greater urgency or significance;

009.13B2 The question presented is of such complexity that the Commission has had insufficient opportunity or resources to develop a fully matured ruling; or

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009.13B3 The petitioner fails to file any additional information requested by the Commission or files such information after the date established by the Commission.

009.14 Appeal: A declaratory order is subject to review in the manner provided for review of contested cases by § 75-136.

010 SECURITY ISSUANCES:

010.01 Applications: Applications for approval of a security issuance will set forth the details surrounding the proposed indebtedness or issuance and will be accompanied by the following:

010.01A a certified copy of the Articles of Incorporation with amendments to date;

010.01B a certified copy of the minutes from the board of directors' or stockholders' meeting, or other proper corporate authority authorizing the action;

010.01C a certified copy of the by-laws with amendments to date;

010.01D current balance sheet and supporting profit and loss statement; and

010.01E sample of proposed stock certificate.

010.02 Notice: In cases of stock increase and consolidation of stock, a hearing will be held only after proof of publication in a legal newspaper published in the city wherein the common carrier has its principal place of business in the State of Nebraska, or, if no legal newspaper is published in such county, then in some legal newspaper published within the state and having general circulation within such county once each week for two consecutive weeks. The first publication shall be at least sixty (60) days prior to the hearing upon the application for the increase or for the consolidation.

