

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Public	)	Application No. NG-0012.1
Alliance for Community Energy	)	
(ACE), seeking additional	)	ORDER CONTINUING HEARING
authority as a Competitive	)	AND EXTENDING TIME FOR
Natural Gas Provider to serve	)	CONSIDERING THE APPLICATION
the entire state of Nebraska.	)	
	)	Entered: January 24, 2006

BY THE COMMISSION:

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

The hearing in the above-captioned matter was previously scheduled to take place on January 23, 2006. However, on January 11, 2006, Cornerstone Energy, Inc. (Cornerstone) filed a Motion to Compel responses by the Public Alliance for Community Energy (ACE) to Cornerstone's data requests. Oral argument on the matter was held January 13, 2006.

The Hearing Officer entered an order on January 17, 2006, denying in part and sustaining in part Cornerstone's Motion. In order to provide sufficient time to respond, ACE was required to serve responses by January 24, 2006, and the Hearing Officer suspended the hearing date and the procedural schedule set forth in the December 16, 2005 Prehearing Conference Order until the schedule could be revised.

The hearing on January 23, 2006, is continued to **January 30, 2006, at 1:30 p.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

Parties shall file any prefiled testimony and any prehearing briefs no later than **5:00 p.m., January 26, 2006.** Parties wishing to file a post hearing or supplemental brief shall do so no later than **5:00 p.m., February 14, 2006.**

Pursuant to *Neb. Rev. Stat. § 66-1849(1)*, "the commission shall make a determination on a [competitive natural gas provider application] within ninety days after its submission unless the commission determines that additional time is necessary to consider the application." Due to the changes in the schedule necessitated by the Motion to Compel filed in this matter, the Commission finds that additional time is necessary to consider the application and extends the time for making a determination an additional sixty days.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the hearing is continued to January 30, 2006, at 1:30 p.m. in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

IT IS FURTHER ORDERED that the foregoing schedule for submission and service of the items discussed above is hereby adopted.

IT IS FINALLY ORDERED that additional time is necessary to consider this application and the time for making a determination shall be extended an additional sixty days.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of January, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director