

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application    ) Application No. NG-0012  
of the Public Alliance for            )  
Community Energy (ACE), Lincoln,    )  
seeking authority for a                ) PLANNING CONFERENCE ORDER  
Competitive Natural Gas Provider    ) AND NOTICE OF HEARING  
Certificate in the state of            )  
Nebraska.                               ) Entered: December 3, 2003

BY THE HEARING OFFICER:

On September 18, 2003, an application was filed by Public Alliance for Community Energy (ACE), Lincoln, seeking authority for a Competitive Natural Gas Provider Certificate in the state of Nebraska seeking pursuant to Neb. Rev. Stat. Sections 66-1848 through 66-1849 (2003 Supp.). Petitions for Intervention were timely filed by Douglas J. Law on behalf of Aquila, Inc., d/b/a Aquila Networks (Aquila) and Stacia Norder on behalf of Cornerstone Energy, Inc. (Cornerstone).

In order to process the application, a planning conference was held in this matter on November 21, 2003, at 10:00 a.m. at the Commission, 300 The Atrium, 1200 N Street, Lincoln, Nebraska and via telephone conference with. The following persons were present at the conference:

For Alliance for Community  
Energy:  
Jim Overcash  
Bruce Smith  
Chris Dibbern

For Cornerstone Energy, Inc.:  
Max Burbach  
Bret Feller  
Bill Rickabaugh  
Ken Graber

For Aquila, Inc., d/b/a  
Aquila Networks:  
Doug Law

For the Commission:  
Laura Demman  
Commissioner Jerry Vap

As a result of the planning conference, several issues were decided. Therefore, this order serves to memorialize those decisions and to provide a timeline for proceeding in this docket.

| Deadline          | Event  |
|-------------------|--|
| December 5, 2003  | All written discovery served. No further written discovery between the parties shall take place after this date.   |
| December 19, 2003 | Responses to discovery requests due.   |
| December 30, 2003 | Any stipulations and exhibits must be exchanged by the parties and filed with the Commission. All pre-filed testimony must be filed with the Commission. Any requests for subpoenas shall be filed in writing with the Commission. No requests for subpoenas will be accepted after this date. |

Finally, the hearing in Application No. NG-0012 will be held on January 13, 2003, at 1:30 p.m. in the Commission Hearing Room/Library, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

A hearing fee as set by the Commission will be charged to the applicant payable upon billing from the Executive Director of the Public Service Commission (Neb. Rev. Stat. §75-128, Cum. Supp. 2003).

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 days is needed when requesting an interpreter.

Any remaining pre-hearing issues that the parties would like to address should be brought before the Commission prior to hearing.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer in the above-captioned matter that the foregoing schedule for submission and service of the items discussed above is hereby adopted.

IT IS FURTHER ORDERED that a hearing in Application No. NG-0012 will be held on January 13, 2003, at 1:30 p.m. in the Commission Hearing Room/Library, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of December, 2003.

BY:

HEARING OFFICER