

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the application) Application No. NG-0031
of Aquila, Inc., d/b/a Aquila)
Networks (Aquila), Omaha,)
seeking authority for Limited) PLANNING CONFERENCE ORDER
Cost Recovery in the State of)
Nebraska.) Entered: September 9, 2005

BY THE HEARING OFFICER:

On August 1, 2005, an application was filed by Aquila, Inc., d/b/a Aquila Networks (Aquila) seeking authority for Limited Cost Recovery within the State of Nebraska. Protests were timely filed by Roger Cox, as Public Advocate, and Cornerstone Energy.

In order to process the application, a planning conference was held in this matter on September 8, 2005, at 1:30 p.m. at the Commission Library, 1200 N Street, Lincoln, Nebraska and via telephone conference with all interested parties. The following individuals were present: Roger Cox, Jack Shultz, Larry Headley, Doug Law, Richard Haubensak, Angela Melton, and Tyler Frost. Glenn Dee participated via telephone.

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.

This proceeding will be divided into two phases. Phase I will address the threshold question of whether Aquila's application is permissible under existing statutes and consistent with public policy considerations. Phase II will address the merits of the Application.

Parties will file briefs on the questions of law and policy implicated by Aquila's application no later than **5:00 p.m. on October 7, 2005**. Each party shall submit one original and five (5) copies and send an electronic copy in MS Word format to rose.price@psc.ne.gov and angela.melton@psc.ne.gov.

Each party shall have an opportunity to file reply briefs no later than **5:00 p.m., October 17, 2005**. Each party shall submit one original and five (5) copies and send an electronic copy in MS Word format to rose.price@psc.ne.gov and angela.melton@psc.ne.gov.

Finally, an oral argument in Application No. NG-0031 regarding whether Aquila's application is permissible under existing statutes and consistent with public policy will be held on **October 19, 2005, at 1:30 p.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

A hearing fee of fifty dollars (\$50.00) for each half day of hearing 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. 2004*).

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.

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 an oral argument in Application No. NG-0031 will be held on October 19, 2005, at 1:30 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 9th day of September, 2005.

BY:

HEARING OFFICER