

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Nebraska Resources) Application No. NG-0053
Company, LLC, Tulsa, Oklahoma,)
seeking a Certificate of Public)
Convenience and Necessity authori-) SECOND HEARING OFFICER ORDER
zing it to operate as a) AMENDING SCHEDULE
jurisdictional utility in Nebraska)
and approval of tariff.)
) Entered: June 2, 2008

BY THE HEARING OFFICER:

On January 15, 2008, Nebraska Resources Company, LLC, (NRC) filed an application seeking a Certificate of Public Convenience and Necessity (Application) authorizing it to operate as a jurisdictional utility in Nebraska and approval of tariff. Notice of the Application was published in the Daily Record, Omaha, Nebraska, on January 17, 2008.

Petitions for Intervention were filed by Constellation NewEnergy-Gas Division, the Public Advocate, NorthWestern Energy, SourceGas Distribution LLC, Aquila Networks, Northern Natural Gas, and Kinder Morgan Interstate Gas Transmission LLC.

On March 18, 2008, the Commission entered an order defining the scope of the hearing and setting a procedural schedule. On April 23, 2008, the Hearing Officer entered an order amending the procedural schedule.

On May 22, 2008, NRC filed a Motion for Modification of Hearing Officer Order Amending Schedule requesting that the deadline for the Applicant to propound discovery to the Intervenor be extended to June 20, 2008, and that Intervenor be required to respond to the discovery requests within five (5) days. Additionally, NRC filed a Motion for an Informal Scheduling Conference during the week of June 23, 2008. All parties were asked to respond informally no later than May 29, 2008. Comments were received from Kinder Morgan, the Public Advocate, SourceGas, and Northern.

Based upon the motions and the comments, the Hearing Officer finds that the Applicant shall be permitted to propound discovery to Intervenor until June 20, 2008, and the Intervenor shall have five (5) business days to respond to the discovery. Furthermore, an informal conference shall be scheduled for **June 25, 2008, at 9:00 a.m.** to discuss matters related to the conduct of the upcoming hearing. A **telephone bridge** is available for parties wishing to participate via telephone by dialing **877-229-1563, and using access code: 06250859.**

Application No. NG-0053

Page 2

A M E N D E D S C H E D U L E

Based upon the Hearing Officer's findings, the schedule is amended as follows.

Discovery by Intervenors shall continue pending receipt of the comprehensive set of current exhibits and schedules and must be completed no later than **June 6, 2008**. Any discovery by the Applicant shall be completed no later than **June 20, 2008**. All responses to discovery requests shall be due within **five (5) business days of service** unless otherwise agreed to by the parties. All parties should copy all parties via email listed on the service list on all discovery requests and responses. In addition, all parties should also send an electronic copy to the Commission at rose.price@psc.ne.gov.

Intervenors shall file with the Commission their prefiled testimony no later than **5:00 p.m. on June 13, 2008**. Applicant shall file any rebuttal testimony no later than **5:00 p.m. on June 20, 2008**. Any prehearing motions shall be filed no later than **5:00 p.m. on June 20, 2008**.

Hearing on the Application shall take place on **June 30 through July 3, 2008**. Hearing shall begin at **9:00 a.m.** each day with the exception of Tuesday, July 1, at which time the hearing will commence following the conclusion of the Commission's regular public meeting.

Post hearing briefs must be filed no later than **ten (10) business days** after completion of the transcript. Reply briefs will be due **ten (10) business days** after initial briefs.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer the second amended schedule set forth herein be adopted.

IT IS FURTHER ORDERED that an informal conference to discuss issues related to the conduct of the hearing is scheduled for **June 25, 2008, at 9:00 a.m.** in the Commission Hearing Room. Parties wishing to participate via telephone should dial **877-229-1563**, and use access code: **06250859**.

MADE AND ENTERED at Lincoln, Nebraska, this 2nd day of June, 2008.

By: 
Hearing Officer