BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of SourceGas Distribution LLC, Lakewood, Colorado, seeking approval of a general rate increase.	)	Application No. NG-0060
	)	HEARING OFFICER ORDER EXTENDING DEADLINE FOR RESPONSE TO MOTION TO STRIKE
	)	Entered: November 12, 2009

BY THE HEARING OFFICER:

On November 4, 2009, the Public Advocate filed Supplemental Direct Testimony and Exhibits of Michael L. Arndt. No motion seeking leave to make the filing was filed. On November 6, 2009, SourceGas Distribution LLC (SourceGas) filed a Motion to Strike the Late-filed Supplemental Testimony and Exhibits of Michael L. Arndt (Motion to Strike). The Motion to Strike requests that the Supplemental Testimony and Exhibits be stricken and that the Public Advocate exclude any fees and expenses associated with the supplemental testimony and exhibits from any invoice. The Hearing Officer entered an order on November 9, 2009, setting a deadline of November 12, 2009, for the Public Advocate to respond to the Motion to Strike.

On November 12, 2009, the Public Advocate filed a Motion for Additional Time to Respond to the Motion to Strike, requesting six (6) additional days to file a response. The Hearing Officer finds that the Motion for Additional time is granted in part. The Public Advocate shall file a response to the Motion to Strike on or before **10:00 a.m. CST on November 16, 2009.** The response may include any supporting affidavits or documentation.

Parties should note that the Supplemental Direct Testimony and Exhibits of Michael L. Arndt were filed outside of the procedural schedule set forth in this matter in the order entered on August 25, 2009, without a motion for leave to do so. Therefore, the supplemental testimony cannot be considered accepted unless it is determined to be so by the Hearing Officer.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the Motion for Additional Time to Respond is granted in part and any response to the Motion to Strike should be filed on or before **10:00 a.m. CST on November 16, 2009.**

MADE AND ENTERED at Lincoln, Nebraska this 12th day of November, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

BY: _____
Hearing Officer

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