

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of SourceGas) Application No. NG-0060
Distribution LLC, Lakewood,)
Colorado, seeking approval of a) HEARING OFFICER
general rate increase.) ORDER SUSTAINING OBJECTIONS TO
) EXHIBITS
)
) Entered: December 22, 2009

BY THE HEARING OFFICER:

Hearing on the above captioned matter was held from December 14 - 17, 2009. During the hearing, the Public Advocate offered Exhibit No. 211 which was a summary of revenue impacts based upon the testimony of various Public Advocate witnesses and Exhibit No. 215 which included emails and responses between the Public Advocate and counsel for SourceGas Distribution LLC (SourceGas) regarding discovery. SourceGas objected to the admission of these exhibits into the record. The Hearing Officer reserved his ruling.

The Hearing Officer finds that Exhibit No. 211 is demonstrative only and redundant of evidence already offered. With respect to Exhibit No. 215, communications between the Public Advocate and counsel for SourceGas regarding discovery may be appropriate relative to a Motion to Compel or other efforts to resolve discovery disputes. However, they are not relevant to the substantive issues presented regarding the application at hearing.

Therefore, the Hearing Officer finds that objections to Exhibit Nos. 211 and 215 should be sustained and the two exhibits will not be admitted into the record.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that objections to Exhibit Nos. 211 and 215 are sustained and the two exhibits will not be admitted into the record.

MADE AND ENTERED at Lincoln, Nebraska this 22nd day of December, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

BY:


Hearing Officer