

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. NG-0063/
on its own Motion, seeking to) PI-173
investigate and refine filing)
requirements and establish) ORDER OPENING DOCKET
further guidelines for) SEEKING COMMENT AND
prosecution of general rate) SCHEDULING WORKSHOP
applications.)
) Entered: August 31, 2010

BY THE COMMISSION:

The Commission, on its own motion, opens this docket seeking to investigate and establish guidelines for the prosecution of general rate applications filed pursuant to *Neb. Rev. Stat. § 66-1825* (Reissue 2009) in order to increase efficiencies and reduce costs.

The complexity of general rate filings coupled with a finite number of days permitted for the Commission to take final action¹ present unique challenges for the parties involved, Commission staff and the Commission. Although audits by the Legislative Performance Audit Committee and the State Auditor found that the Commission had not exceeded the limitations on assessments imposed by *Neb. Rev. Stat. § 66-1840* or the budget approved by the Legislature, we believe that the process should be as cost effective as possible. Additionally, the Commission seeks to refine the rate case process in order to increase efficiencies; ensure the receipt of sufficient information to establish just and reasonable rates; and allow sufficient time for meaningful reconsideration or clarification.

The Commission requests that interested parties comment regarding the following approaches. Comments will be used to develop an agenda for a workshop to discuss possible approaches. Parties need not repeat comments previously filed regarding the proposed rules related to general rate filings in Rule and Regulation No. 173.

1. The Commission could adopt more detailed filing requirements, which could include responses to standard or routine discovery questions to allow for a shorter period of time for discovery. In conjunction, we would consider limiting the amount of permissible discovery, for example the number of interrogatories allowed.
2. We could adopt a standard progression order so that all parties are aware of deadlines from the time a filing is made. Although the schedule would still be reviewed and possibly amended at a planning conference, having a

¹ See *Neb. Rev. Stat. § 66-1838(15)(b)* and (c).

standard schedule would provide predictability in the process.

3. Parties could be required to file stipulated facts and disputed issues prior to hearing. Such filings would provide some focus to the hearing process and could eliminate the need to have some witnesses present at the hearing. Additionally, parties could stipulate to a hearing on the filings with respect to certain issues to avoid the need for live witnesses on the entire application.
4. The Commission would also consider revisiting the issuance of the consultant report and subsequent comment period. Parties are encouraged to comment regarding its value to the process and whether another approach may be more appropriate.
5. The Commission would propose establishing a process which would allow meaningful time for motions for reconsideration and clarification.
6. Finally, the Commission would encourage parties to provide other suggestions regarding the process in order to increase efficiencies and decrease costs.

Interested parties should file one (1) original and eight (8) copies on or before **3:00 p.m. on October 15, 2010**. Interested parties should also send one (1) electronic copy by email to **rose.price@nebraska.gov**.

The Commission further finds that a workshop shall be scheduled for **October 26, 2010, at 1:30 p.m.** in the Commission Hearing Room, 300 the Atrium, 1200 N Street, Lincoln, Nebraska.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above captioned docket is hereby opened to investigate and refine filing requirements and establish further guidelines for the prosecution of general rate applications.

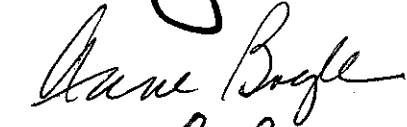
IT IS FURTHER ORDERED that interested parties should file one (1) original and eight (8) copies on or before **3:00 p.m. on October 15, 2010**. Interested parties should also send one (1) electronic copy by email to **rose.price@nebraska.gov**.

IT IS FINALLY ORDERED that a workshop shall be scheduled for **October 26, 2010, 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 31st day of August, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s// Frank E. Landis

//s// Gerald L. Vap

Chairman



ATTEST:



Executive Director