

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

| In the Matter of SourceGas Dis-) Application No. NG-0072
tribution LLC, Golden, Colorado,)
seeking approval of an infra-) HEARING OFFICER ORDER
structure system replacement) ADOPTING PROCEDURAL
cost recovery charge, pursuant) SCHEDULE AND SETTING
to Sections 66-1865 and 66-1866) HEARING
of the State Natural Gas Regula-)
tion Act.) Entered: March 21, 2013

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BY THE HEARING OFFICER:

On March 18, 2013, SourceGas Distribution LLC, Golden, Colorado (SourceGas) filed an application seeking approval of an infrastructure system replacement cost recovery charge, pursuant to the State Natural Gas Regulation Act, §§ 66-1865 and 66-1866 (2010).

In order to process this filing, a planning conference was held in this matter on March 20, 2013. Due to the abbreviated statutory schedule, an expedited planning conference was held prior to the expiration of the period for interventions. The Applicant, Public Advocate and a representative of Black Hills discussed with Commission staff the procedural schedule for the application including, but not limited to, discovery, filing deadlines, and hearing dates.

Applicant has requested a July 1, 2013 effective date for the implementation of the surcharge. The 120 days allowed for consideration of the application would extend beyond that date; however, in light of the schedule agreed to by the Applicant and the Public Advocate, consideration of the application in sufficient time to allow an effective date of July 1, 2013 may be possible.

General Instructions and Deadlines

A. General Instructions. All evidence to be offered at hearing, objections thereto, and responses to those objections shall be filed by the dates set forth herein. A party offering exhibits as evidence at the hearing shall provide a copy to the court reporter. All prefiled exhibits must be numbered. All pages of each exhibit shall be numbered. Parties are encouraged to limit objections and to enter into stipulations in order to facilitate the presentation of evidence and completion of this proceeding.

B. Objections. All objections to prefiled evidence shall specifically and succinctly identify the testimony or exhibit to

which the objection is directed and the specific objection raised regarding each exhibit. Failure to comply with the deadlines for objections will result in waiver of the objections.

C. Service. An official service list for this matter will be established upon expiration of the period for intervention; a service list as of the date of this order is attached as Exhibit A. Service may be accomplished through electronic mail. Parties are responsible for maintaining an accurate service list. All parties should provide an electronic copy of any discovery requests and responses via electronic mail or cd rom to the Department. However, such discovery requests and responses shall not be filed with the Commission. Such discovery requests and responses shall not be part of the official record unless offered and accepted as exhibits during the hearing on the application. If using electronic mail, parties should send to rose.price@nebraska.gov.

Parties may meet filing deadlines outlined herein by sending an electronic copy of the filing via electronic mail to rose.price@nebraska.gov so long as all parties are served via electronic mail contemporaneously with the email filing and a hard copy is received by the Commission within three (3) days of the email filing.

D. Discovery. All discovery responses are due within ten (10) days of service, unless otherwise agreed to by the Parties. Applicant has stated that it will schedule a conference with the Public Advocate to discuss information that may be provided in a shorter time frame.

Parties should reference Nebraska Discovery Rules for general guidance as to the conduct of discovery. Should this order conflict with any provision of the Nebraska Discovery Rules, this order controls. Parties should make efforts to resolve any discovery disputes.

E. Exhibits and Witnesses. Parties shall file an exhibit list. All exhibits shall be appropriately marked and each page of the exhibit numbered prior to the hearing. Any party seeking to request administrative notice of any document shall provide copies of said materials at the time of the hearing.

E. Deadlines. Due to the fact that a planning conference was held prior to the deadline for interventions due to the expedited time frame for consideration of this application, an

additional planning conference may be necessary should interventions be granted. The following schedule is hereby adopted:

Date	Event
3/18/2013	Application Filed
45 days after filing date (4/29/2013)	Final date for discovery requests to be served by the Public Advocate on Applicant
60 days after filing (5/17/2013)	Public Advocate report due to Commission
(5/28/2013)	Applicant files response to report
6/11/2013	All Parties file exhibit lists, exhibits, and witness lists
6/19/2013	Hearing
7/16/2013	Last Grist for Order to be entered within 120 days (120th day is 7/16/2013)

F. Hearing Fee/Accommodations. The Applicant has agreed to arrange for a court reporter for the hearing on this matter and an expedited transcript. Therefore, the hearing fee of one hundred twenty-five dollars (\$125.00) for each half-day should be waived consistent with Commission policy.

Hearing on this matter is therefore scheduled for **June 19, 2013 at 9:00 a.m.** in the Commission Hearing room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

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 that the deadlines and requirements set forth herein are hereby adopted in the above-captioned matter.

IT IS FURTHER ORDERED that Applicant provide the court reporter for the hearing on this matter. Therefore, the hearing

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fee of one hundred twenty-five dollars (\$125.00) for each half-day shall be waived consistent with Commission policy.

IT IS FINALLY ORDERED that hearing on this matter will take place on **commencing June 19, 2013 at 9:00 a.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

MADE AND ENTERED at Lincoln, Nebraska this 21st day of March, 2013.

By:


Gerald L. Vap