

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Black Hills/Nebraska	) Application No. NG-0090
Gas Utility, LLC, d/b/a Black Hills	)
Energy, Papillion, seeking approval of	) PLANNING CONFERENCE ORDER
a Farm Tap Safety Proposal and	) AND NOTICE OF HEARING
Associated Tariff.	)
	) Entered: January 27, 2017

BY THE HEARING OFFICER:

On December 5, 2016, Black Hills/Nebraska Gas Utility, LLC, d/b/a Black Hills Energy (Black Hills), Papillion, Nebraska, filed an application seeking approval of a Farm Tap Safety Proposal and the associated tariff. A petition for Formal Intervention was timely received by the Public Advocate (PA) and the petition was granted.

### Planning Conference

A planning conference was held in the above-captioned docket on January 26, 2017, at 9:30 a.m. CST in the Commission Conference Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, and via telephone conference. The following persons were present at the conference: for Black Hills, Adam Buhrman; and for the Commission, Scott Coburn, Director of the Natural Gas Department and Nichole Mulcahy, Deputy Director of the Natural Gas Department/Legal Counsel. Participating via telephone for the PA, William Austin and Colin Mues.

As a result of the planning conference, several issues were decided. Therefore, this order serves to memorialize those decisions and to provide a timeline for proceeding in this docket.

### Service

Parties may meet filing deadlines outlined herein by sending an electronic copy of the filing via electronic mail to [rose.price@nebraska.gov](mailto: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. Parties are responsible for maintaining an accurate service list.

### Discovery

All discovery responses are due within ten (10) business days of service, unless otherwise agreed to by the Parties. Any discovery request served after 3:00 p.m. shall be considered filed the following day for purposes of calculating response time. Unless modified by the hearing officer for good cause, interrogatories, requests for admission, and requests for production of documents, including all subparts shall be limited to 300 total. Parties are expected to be reasonable in their interpretation of what may constitute a subpart for purposes of discovery limits.

All parties should provide a courtesy copy of any discovery requests and responses to the Department. 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](mailto:rose.price@nebraska.gov).

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.

### **Exhibits**

Parties shall file an exhibit list with all exhibits appropriately marked and numbered prior to the hearing. Any party wishing to use a demonstrative exhibit or other demonstrative tools at the hearing must identify such materials by the time of the prehearing conference. Any party seeking to request administrative notice of any document shall provide copies of said materials at the time of the prehearing conference.

### **Deadlines**

Deadlines for various events were established and are set forth in Appendix A.

### **Settlement**

All parties are encouraged to cooperate and engage in negotiations; however, the conduct of negotiations does not relieve the parties of their obligation to meet filing deadlines. Parties need not identify in settlement agreements specific dollar values attached to specific issues.

### **Hearing**

A Hearing in Docket No. NG-0090 will be held in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska beginning on **Tuesday, May 16, 2016, at 11:00 a.m. CDT and continuing to Wednesday, May 17, 2017, at 9:00 a.m. CDT.**

### **Hearing Fee/Accommodations**

The Applicant will arrange for a court reporter for the hearing on this matter. Therefore, the hearing fee of one hundred twenty-five dollars (\$125.00) for each half-day should be waived consistent with Commission policy.

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.

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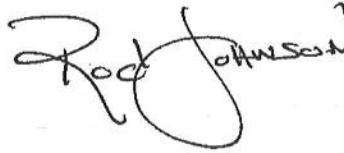
O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the deadlines and requirements established in this order and attached hereto are hereby adopted.

IT IS FURTHER ORDERED that hearing on this matter will commence on **Tuesday, May 16, 2016, at 11:00 a.m. CDT and continuing to Wednesday, May 17, 2017, at 9:00 a.m. CDT** in the Commission Hearing Room, 300 the Atrium, 1200 N Street, Lincoln.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 27th day of January, 2017.

BY:

A handwritten signature in black ink, appearing to read "Rod Johnson", is written over a faint, larger handwritten "Rod Johnson" that is already present on the document.

Rod Johnson  
HEARING OFFICER

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APPENDIX A

**PROCEDURAL SCHEDULE**

Dec. 5, 2016	Application Filed
Jan. 26, 2017 - Feb. 28	Discovery Requests by Public Advocate filed
March 17	Testimony of Public Advocate filed
March 20 - March 31	Discovery Requests by Applicant filed
April 19	Rebuttal Testimony of Applicant filed
May 1	Filing of Hearing Exhibits/Witness Lists/List of Issues/Settlements
May 5	Deadline to file Pre-Hearing Objections/Pre- Hearing Conference (If Necessary)
May 16 - May 17	Hearing beginning at 11:00 a.m. on May 16 and continuing on May 17, commencing at 9:00 a.m.
2 weeks after transcript available	Post-Hearing Briefs/Proposed Orders (If Requested)