

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) Application No. P-0011
Aquila, Inc., Omaha, Nebraska,)
seeking resolution of a dispute) PROGRESSION ORDER NO. 1
under *Neb. Rev. Stat.* § 57-1306.)
)
) Entered: March 21, 2006

BY THE HEARING OFFICER:

O P I N I O N A N D F I N D I N G S

On February 17, 2006, an application was filed by Aquila, Inc., Omaha, Nebraska (Aquila) seeking a determination that the natural gas main extensions proposed by Metropolitan Utilities District (M.U.D.) to serve the planned Southern Pines subdivision (Southern Pines) are in violation of *Neb. Rev. Stat.* §§ 57-1301 et seq. M.U.D. filed an Answer on March 9, 2006.

In order to process the application, the parties conferred with Commission staff regarding a procedural schedule. As a result, a schedule for discovery, filing of witness and exhibit lists, and hearing date were agreed to by the parties.

The parties shall exchange written discovery no later than **5:00 p.m., April 7, 2006**. Responses to written discovery shall be due no later than **5:00 p.m., April 28, 2006**.

The parties shall exchange preliminary witness lists by **5:00 p.m., May 5, 2006**.

Final witness lists shall be exchanged by the parties and filed with the Commission and all depositions shall be completed by **5:00 p.m., May 19, 2006**.

All exhibits and stipulations shall be exchanged by the parties no later than **5:00 p.m., May 26, 2006**.

Finally, the hearing in Application No. P-0011 will be held on **June 7, 2006, at 10:00 a.m.** at the Sarpy County Courthouse, Sarpy County Board Room, 1210 Golden Gate Drive, Papillion, Nebraska.

Any remaining pre-hearing issues that the parties would like to address should be brought before the Commission prior to hearing.

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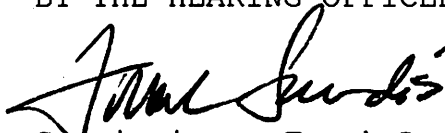
O R D E R

IT IS THEREFORE ORDERED that the foregoing schedule for submission and service of the items discussed above is, hereby adopted.

IT IS FURTHER ORDERED that a hearing in Application No. P-0011 will be held on **June 7, 2006, at 10:00 a.m.** at the Sarpy County Courthouse, Sarpy County Board Room, 1210 Golden Gate Drive, Papillion, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 21st day of March, 2006.

BY THE HEARING OFFICER

A handwritten signature in black ink, appearing to read "Frank Landis", is written over the printed name.

Commissioner Frank Landis