

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the matter of the application of)
United Telephone Company of the West,)
Scottsbluff, Nebraska, for authority to)
Increase Rates and Charges.)

Application No. C-335

OBJECTIONS TO INTERROGATORIES
SUSTAINED

Entered: November 20, 1984

OPINION AND FINDINGS

BY THE COMMISSION:

This application is a request for increased rates by United Telephone Company of the West. Protests were filed by Tracy Corporation II, City of Kimball and Michael Tracy.

Protestants have propounded interrogatories to which applicant has objected. Oral argument on this matter was held on October 30, 1984 at 2:30 p.m. in the Commission Hearing Room, Lincoln, Nebraska.

The Nebraska Supreme Court rule on interrogatories limit to 50 the number of questions, sub-questions or sub-parts unless otherwise permitted by the court.

Protestants have each submitted interrogatories which, counting all sub-parts, number over 50. As an example, City of Kimball's question 1(c) asks "If the answer to subparagraph (b) above is in the affirmative, set forth the profit which the UTC paging operation, Scottsbluff exchange has made for UTC for each of the years from 1965 to date." We find that in this question each year represents a sub-part.

Protestant's counter that applicant filed its objections late and thus has no standing to object. While it is true that the objections were late, it is equally true that permission was not sought to ask more than 50 interrogatories before interrogatories were propounded.

Protestants should each be allowed to submit not more than 50 interrogatories, counting each sub-part separately. Information for each year or month shall count as a separate interrogatory.

In addition we find that a time limit should be imposed on discovery in this matter. Interrogatories should be submitted within 15 days from the date of this order and answered within 30 days thereafter. Hearings on this matter should thereupon be promptly scheduled.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that objections to interrogatories in application C-335 be and they are hereby sustained.

IT IS FURTHER ORDERED that protestants may each ask no more than 50 interrogatories counting each sub-part separately.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-335

Page two

IT IS FURTHER ORDERED that all interrogatories be submitted within 15 days from the date of this order and answered within 30 days thereof and that a hearing be promptly scheduled on this matter.

MADE AND ENTERED at Lincoln, Nebraska, this 20th day of November, 1984.

NEBRASKA PUBLIC SERVICE COMMISSION

Harold D. Simpson

Chairman

COMMISSIONERS CONCURRING:

ATTEST:

Donald Adams

Executive Secretary