## BEFORE THE NEBRASKA PUBLIC UTILITIES COMMISSION

In the Matter of US West	)	Application	on No	٠.	C-18	330.
Communications, Inc., filing	)					
its notice of intention to file	)	Procedura	al Pr	ogi	ress	lon
Section 271(c) application	)	O:	rder	#4		
with the FCC and request for	)					
Commission to verify US West	)					
compliance with Section 271(c).	)	Entered:	Augu	ıst	11,	1998

## ORDER

Upon review of US West Communications, Inc.'s Motion to Modify Procedural Order, and upon good cause showing,

IT IS ORDERED modifying the "Procedural Timeline" in the Procedural Order to include the following dates:

## Procedural Timeline:

- August 7 -Intervenor responsive briefs to Application (optional)
  -Pre-filed testimony due
  August 14 -Discovery requests from US West
  \*August 19 -Intervenor objections to discovery requests
- \*August 19 -Intervenor objections to discovery requests

  (by 12:00 p.m.)

  \*August 24 -Intervenor response to discovery requests
- (by 12:00 p.m.)

  -US West motion to compel based upon Intervenor's objections (by 12:00 p.m.)
- \*August 26 -Intervenor response to motion to compel (by 12:00 p.m.)
  -Oral/written objections to discovery (by 12:00 p.m.)
- August 27 -Oral argument/discussion on discovery
  - Sept 8 -US West rebuttal testimony due (by 12:00 p.m.)
  - Sept 16 -Hearing beginning at 1:00 p.m.

IT IS ALSO ORDERED modifying the Procedural Order as follows:

(1) Judge Van Pelt has ordered the production of materials for an *in camera* review, which US West deems are protected by the attorney-client privilege, work product doctrine and self evaluation privilege. If Judge Van Pelt orders production, the Intervenors will have seven days from the date of production to submit

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supplemental testimony on the precise issues set forth in the documents produced.

- (2) US West has a discovery dispute with respect to at least seven of the 158 data requests propounded by the "Joint Intervenors" (AT&T, TCG and Sprint). Judge Van Pelt has ordered the parties to submit the data underlying these requests for his review. If Judge Van Pelt orders US West to provide additional material pursuant to these requests, or any other requests where discovery disputes subsequently develop, Intervenors will have seven days from the date of production to submit supplemental testimony on the material contained in US West's supplemental discovery.
- (3) Parties have an ongoing obligation to supplement discovery responses when new information becomes available. If a party supplements a discovery response with new information, the receiving party shall be afforded an opportunity to submit supplemental testimony only on the new information.

All remaining aspects of the Procedural Order remain intact.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of August, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING

//s//Lowell C. Johnson
//s//Frank E. Landis

ATTEST:

Executive Director