

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2400
of Lincoln Electric System,)
Lincoln, seeking contract carrier) PROGRESSION ORDER NO. 1
permit authority.) Entered: November 21, 2000

BY THE COMMISSION:

By its application filed October 4, 2000, Lincoln Electric System (LES or Applicant) of Lincoln, Nebraska, seeks contract carrier permit authority. Notice of the application appeared in The Daily Record, Omaha, Nebraska on October 5, 2000, pursuant to the rules of the Commission. Formal Interventions were filed by a number of parties, who were made a party to this proceeding, including the Nebraska Telecommunications Association (NTA).

On November 9, 2000, through its undersigned counsel, the NTA submitted a Motion for Declaratory Ruling, a Memorandum Brief in Support of the Motion for a Declaratory Ruling, a Motion to Stay and a Memorandum Brief in Support of the Motion to Stay.

Upon review of these motions and the memoranda filed herein, the Commission finds that briefs on these motions should be accepted for consideration and an oral argument on this matter should be set. Accordingly, the Commission will accept written response briefs from LES on both motions. Said briefs must be filed with the Commission on or before December 4, 2000. The Commission will then hold an oral argument on NTA's motions on December 11, 2000, at 1:30 p.m. in the Commission Hearing Room, Lincoln, Nebraska.

Furthermore, in consideration of the outstanding motions, the Commission is of the opinion and finds that the prehearing conference previously scheduled for November 29, 2000, at 1:30 p.m. should be canceled.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that briefs on the Motions filed in the above-captioned proceeding shall be filed as set forth herein.

IT IS FURTHER ORDERED that oral argument is set on both motions for December 11, 2000, at 1:30 p.m. in the Commission Hearing Room, at Lincoln, Nebraska.

IT IS FINALLY ORDERED that the prehearing conference previously scheduled for November 29, 2000, at 1:30 p.m. is hereby canceled.

MADE AND ENTERED at Lincoln, Nebraska, this 21st day of
November, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director