

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,     ) Application No. C-4165/PI-150  
on its own motion, seeking to         )  
investigate whether it is             ) ORDER MODIFYING PROCEDURAL  
appropriate for                         ) SCHEDULE  
telecommunications companies to       )  
assess intrastate transit             )  
charges on Extended Area Service     )  
Traffic.                                 ) ENTERED: September 28, 2009

BY THE HEARING OFFICER:

By Order entered on April 28, 2009, the Commission opened this investigation to address the issues raised by a Petition for Declaratory Ruling filed by several rural independent local exchange carriers. The Commission, in the Order opening the investigation, found the issues raised by the rural independent companies raised issues of statewide commercial concern. Notice of this proceeding appeared in the Daily Record, Omaha, on April 29, 2009.

A Petition for Formal Intervention was filed by the following rural independent companies: Arapahoe Telephone Company, Arlington Telephone Company, Blair Telephone Company, Eastern Nebraska Telephone Co., and Rock County Telephone Company (all of such companies d/b/a American Broadband); Hamilton Telephone Company; Glenwood Telephone Membership Corp.; Hemingford Cooperative Telephone Company; Nebraska Central Telephone Company; and Northeast Nebraska Telephone Company (the "Rural Companies"). Qwest Corporation filed a Petition for Intervention on June 12, 2009, which I granted as Hearing Officer.

At the planning conference held on June 23, 2009, a procedural schedule was discussed and agreed to by counsel for the Formal Intervenors. On September 21, 2009, the parties requested modification to the procedural schedule and a continuance of the hearing date. As Hearing Officer in this docket, I hereby grant their request. The updated procedural schedule is adopted as follows:

<u>Event</u>	<u>Date</u>
Motions to Compel, if Necessary, for Discovery Responses	September 25, 2009
Responses to Motion to Compel	October 2, 2009
Oral Argument on Motion to Compel	October 6, 2009, at 11:00 a.m., Commission Hearing Room and by teleconference
Compelled Discovery Responses, if any, to be served	Ten (10) days following Order of the Hearing Officer
Serve Direct Testimony	November 10, 2009
Serve Rebuttal Testimony	December 10, 2009
Initial Brief	Thirty (30) days following availability of transcript
Reply Brief	Fifteen (15) days following service of Initial Brief

The Hearing on this matter will be held on January 26, 2010, immediately following the Commission's Public Grist Meeting. The hearing will continue as necessary on January 27, 2010, commencing at 10:00 a.m. and on January 28, 2010, commencing at 10:00 a.m. All times are central time unless otherwise noted. The hearing will be held in the Commission Hearing Room, Suite 300 in the Atrium Building, 1200 N Street, Lincoln, Nebraska, 68508.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the modified procedural schedule described herein be, and it is hereby, adopted.

IT IS FURTHER ORDERED that the hearing in this matter will be held on **January 26, 2010**, and will commence immediately following the Commission's Grist meeting. The hearing will continue if necessary on **January 27 and 28, 2010**, commencing at 10:00 a.m. CDT each day. The hearing will be held in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska, 68508.

MADE AND ENTERED at Lincoln, Nebraska, this 28th day of September, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

By: \_\_\_\_\_  
Hearing Officer

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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NEBRASKA PUBLIC SERVICE COMMISSION

By:

  
Hearing Officer