BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Action Communications, Inc.,) Formal Complaint No. FC-1320
)
Complainant,)
) AMENDED PLANNING CONFERENCE
v.) ORDER
)
Qwest Corporation,)
)
Defendant.)
) Entered: February 23, 2005

BY THE HEARING OFFICER:

Deadline

On December 22, 2004, a formal complaint was filed by Action Communications, Inc. (Action) against Qwest Corporation (Qwest). Qwest filed its answer on January 13, 2005.

The Commission held a telephonic planning conference in this matter on January 21, 2005, with both parties. A planning conference order was entered on January 31, 2005 setting forth a schedule for discovery and setting a hearing date.

On February 22, 2005, the parties indicated that they have reached a preliminary settlement agreement and requested that the procedural schedule be amended. The following deadlines shall now apply:

Event

Deadline	Event
March 4, 2005	All written discovery served. No further written discovery between the parties shall take place after this date.
March 25, 2005	Answers to Interrogatories and Responses to Requests for Production and Responses to Requests for Admissions are due.
April 1, 2005	Any discovery motions must be filed.
April 8, 2005	Responses to any discovery motions must be filed.
April 22, 2005	All depositions completed.
May 6, 2005	Witness and Exhibit lists must

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be exchanged by the parties and filed with the Commission.

May 6, 2005

All stipulations must be filed with the Commission. Any requests for subpoenas shall be filed in writing with the Commission. No requests for subpoenas will be accepted after this date.

Finally, the hearing on FC-1320 will be held on May 10, 2005, at 1:30 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska. As stated in the January 31, 2005 Planning Conference Order, Action has expressed a desire to have the hearing held via video conference in Scottsbluff. Qwest has stated that it would rather all parties be present in Lincoln.

Action shall submit its request to hold the hearing via video conference and its reasons for doing so to the Commission in writing for the Hearing Officer's consideration no later than March 25, 2005. Please be advised that should Action wish to hold the hearing via video conferencing, it will be assessed the associated costs and the ability to hold the hearing via video conference will depend on site availability. Qwest will be given 10 days from the date of Action's request to respond.

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

ORDER

IT IS THEREFORE ORDERED by the Hearing Officer in the above-captioned matter that the foregoing amended schedule for submission and service of the items discussed above is hereby adopted.

IT IS FURTHER ORDERED that a hearing on FC-1320 will be held on May 10, 2005, at 2:00 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

IT IS FINALLY ORDERED that Action shall submit its request that the hearing be held via video conference and the underlying reasons to the Commission no later than March 25, 2005. Qwest shall have 10 days thereafter to respond.

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MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of February, 2005.

BY:

HEARING OFFICER