

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Formal) Application Nos. FC-1343
Complaint of Tom E. Nesbitt,)
Lincoln, alleging violation of)
the Automatic Dialing-)
Announcing Devices Act by) PLANNING CONFERENCE ORDER
Anthony W. Fulton, Lincoln,)
Tony Fulton Committee, Lincoln)
and Communication Strategies,)
Inc., St. Louis, Missouri.) Entered: August 26, 2010

BY THE HEARING OFFICER:

On June 24, 2010, a Formal Complaint was filed with the Nebraska Public Service Commission (Commission) by Tom E. Nesbitt, Lincoln, Nebraska, against Anthony W. Fulton, and the Tony Fulton Committee, both of Lincoln, Nebraska, and Communications Strategies, Inc., located in St. Louis, Missouri. An Answer was timely filed by Respondents Anthony W. Fulton and the Tony Fulton Committee.

Planning Conference

A planning conference was held in the above-captioned docket on August 24, 2010, at 1:30 p.m. in the Commission Niobrara Conference Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, and via telephone conference with representatives of the Parties and the Commission. The following persons participated in the conference telephonically, for Anthony W. Fulton and the Tony Fulton Campaign, Kelly R. Dahl of Baird Holm LLP and for Tom E. Nesbitt, V. Gene Summerlin of Ogborn Summerlin & Ogborn P.C. For the Commission, Nichole Mulcahy, Legal Counsel for the Commission and Gene Hand, Director of the Commission's Communications Department. Respondent Communication Strategies, Inc. did not appear.

As a result of the planning conference, several issues were decided. Therefore, this order serves to memorialize those decisions and to provide a timeline for proceeding in this docket.

Deadlines

Deadlines for various events were established and are set forth in Appendix A.

Service

All parties shall file all documents on all parties of record. All parties shall file all documents in electronic,

Microsoft WORD compatible format via email with paper copies sent via mail to follow.

Parties are encouraged to engage in negotiations; however, the conduct of negotiations does not relieve the parties of their obligation to meet filing deadlines.

Hearing

A Hearing on Application No. FC-1343 will be held Thursday, **November 18, 2010**, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

Hearing Accommodations

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the deadlines and requirements established in this order and attached hereto are hereby adopted.

IT IS FURTHER ORDERED that a hearing in Application No. FC-1343 will be held on **November 18**, at 10:30 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska this 26th day of August, 2010.

BY:



Gerald L. Vap
HEARING OFFICER

APPENDIX A

PROCEDURAL SCHEDULE

<u>DAY</u>	<u>DATE</u>	<u>EVENT</u>
Friday	September 10	Discovery Requests filed
Tuesday	September 28	Responses to Discovery Requests filed
Monday	October 18	Direct Testimony Filed
Tuesday	November 16	Deadline to file Pre-hearing Motions and Hearing exhibits
Thursday	November 18	Hearing

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