

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. NUSF-26
Public Service Commission, on) Progression Order No. 4
its own motion, seeking to)
establish a long-term universal) PREHEARING CONFERENCE ORDER
service funding mechanism.)
)
) Entered: May 28, 2003

BY THE COMMISSION:

On January 7, 2003, the Commission entered Progression Order No. 4 in the above-captioned matter. The purpose of this docket is to establish a long-term universal service funding mechanism.

The Commission subsequently entered a procedural order for Progression Order No. 4 and set a pre-hearing conference on May 22, 2003 for the purposes stated in Rule 020 of the Rules of Commission Procedure, and to establish a schedule for submission of pre-hearing materials, to establish guidelines for the hearing on this matter and for the submission of post-hearing briefs.

The prehearing conference was held in accordance with that order. The following parties appeared through their respective legal counsel: the Rural Independent Companies, AT&T, Qwest, Citizens, and the NICE-BCS group.¹ This prehearing conference order records the actions taken at the conference.

1. Schedule: The following schedule shall be established and shall govern the Commission's consideration of this docket:
 - a. Parties shall have until **June 6, 2003** to prepare and file with the Commission and serve on the other parties (i) the pre-filed testimony of any witness that the party intends to call at the hearing of the matter, and (ii) the exhibits that the party intends to offer at the hearing, except for rebuttal exhibits.
 - b. Parties shall have to and including **June 11, 2003** to file and serve on other parties any prehearing motion requesting additional time for cross-examination.
 - c. Parties shall have to and including **June 13, 2003** to prepare and file with the Commission and serve on the other parties: (i) any rebuttal exhibits that the party

¹ The individual rural telephone companies comprising the Rural Independent Companies and the NICE-BCS group are reflected in the initial comments filed in this proceeding.

intends to offer at the hearing and (ii) any pre-filed motions, including motions to strike.

- d. The hearing on this matter will be moved to **June 18, 2003** at **9:00 a.m.** in the Commission Hearing Room.² **June 19, 2003** will also be reserved in case it is needed.
2. Hearing Procedure: The hearing will be held in the traditional format. Witnesses will be sworn-in.
- a. The order of the witnesses will be determined by the Commission. However, the Commission expects the NUSF Director, Mr. Jeff Pursley and the staff's consultant Dr. David Rosenbaum to testify first.
 - b. In order for the Commission to permit the development of a complete record in this matter, cross-examination shall be allowed by all parties. Cross-examination shall be limited to a total of **120 minutes for each party**. Each attorney must allocate his or her time amongst the number of witnesses testifying at the hearing and can use no more than 120 minutes for cross-examination during the entire hearing unless otherwise permitted by the Commission after review of a (1.b.) motion identified above.
 - c. The Commission will obtain an outside court reporter for this hearing. Parties who filed a statement of interest with the Commission will be responsible for an equal portion of the transcription costs.
 - d. A telephone bridge will be established for the convenience of the Commission. No other party will be permitted to testify or solicit testimony from witnesses telephonically, however, other persons may join the call to listen to the testimony.
 - e. Post-hearing briefs are due three weeks from the date of the completion of the transcript. The Commission will advise parties via electronic mail of the exact due date of the post-hearing briefs.

² The hearing was previously set for June 18, 2003 at 10:00 a.m. in the Commission Hearing Room in the Commission's April 1, 2003 Procedural Order.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the proceedings regarding the above-captioned matter shall be conducted in conformity with the foregoing paragraphs of this Prehearing Conference Order.

MADE AND ENTERED at Lincoln, Nebraska, this 28th day of May, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director