

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) APPLICATION NO. B-1410  
of DonMark, Inc., dba Cornhusker ) SUPPLEMENT 1  
Cab Company, seeking authority as )  
a common carrier in Nebraska ) PLANNING CONFERENCE  
intrastate commerce in the ) ORDER AND NOTICE OF  
transportation of passengers by ) HEARING  
taxi in Lancaster County, and )  
between points in Lancaster )  
county, on the one hand, and on ) ENTERED: FEBRUARY 29, 2012  
the other hand, points in Nebraska )  
over irregular routes. )  
RESTRICTION: The transportation of )  
railroad train crews and their )  
baggage is not authorized. )  
HHS Designation: Yes. )

BY THE HEARING OFFICER:

On January 9, 2012, applications were filed by Happy Cab Company, Happy Cab Company d/b/a Checker Cab Company, Happy Cab Company d/b/a Yellow Cab Company, DonMark, Inc., d/b/a Cornhusker Cab Company, and Valor Transportation Company d/b/a Safeway Cab seeking authority for the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. The transportation of railroad train crews is not authorized, and the HHS designation is Yes. Protests were timely filed by Servant Cab Company, d/b/a Yellow Cab d/b/a Capital Cab through its attorney, Jack Shultz; Golden Plains Services, Inc.; and Transport Plus.

In order to process the application, the Commission held planning conferences on February 17, 2012, and on February 22, 2012. Present at the February 17 conference were Commissioner Tim Schram, Andy Pollock, Jack Shultz, Vicki Harding, and Mark Breiner. Present at the February 22 conference were Commissioner Rod Johnson; Hearing Officer, Andy Pollock, Jack Shultz, and Mark Breiner. The protestants, Golden Plains Services and Transport Plus, were contacted regarding the conferences. Golden Plains Services, through Marlon Dooley, waived their appearance at the conferences. Protestant Transport Plus was present at the February 17 conference, but was not able to attend the February 22 conference, but consented to the conference being held in her absence.

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.

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Deadline	Event
<b>March 2, 2012</b>	Applicant's written discovery served. Supplemental written discovery may be served by the parties after this date as agreed by the parties. Any rate filings in this matter are to be filed by this date.
<b>March 9, 2012</b>	Protestant's written discovery served. Supplemental written discovery may be served by the parties after this date as agreed by the parties.
<b>March 16, 2012</b>	Answers to Interrogatories and Responses to Request for Production and Responses to Request for Admissions are due.
<b>March 30, 2012</b>	All depositions completed. If parties seek to settle, settlement achieved, and Commission notified to cancel hearing. Hearings canceled after this date are subject to applicable hearing fee.
<b>April 2, 2012</b>	Any stipulations, exhibits and prefiled testimony must be exchanged by the parties and filed with the Commission. Final witness lists exchanged by parties and 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.

**April 6, 2012**

Any request for cross-examination of witnesses of Transport Plus must be made with notice to the Commission and to other parties. If a request for such cross-examination is made, the record in this matter will remain open and said examination shall be conducted on **April 17, 2012, at 2:00 p.m.** in the Commission Hearing Room. Any requests for a continuation or cancellation of a video conference hearing must be made to the Commission at least 48 hours prior to the start of the hearing. The party failing to give timely notification will be responsible for payment of all charges incurred as a result of improper notification. All fees incurred must be paid before future hearings will be scheduled.

Finally, the hearing in Applications B-1121, B-1122, B-1215, B-1410, and B-1744, will be held in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska on **April 9, 2012, at 9:00 a.m.; April 10, 2012 at 10:00 a.m. and April 11, 2012 at 9:00 a.m.** Public comments will be received by the Commission beginning at 9:00 a.m. on Wednesday, April 11, 2012.

The Commission is aware that a rate filing is anticipated to be made by the Applicants herein set forth. Any rate application filed by the Applicants will be incorporated into the hearing as set forth above.

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

O R D E R

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

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IT IS FURTHER ORDERED that a hearing in Application B-1410 will be held in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska; on **April 9, 2012** at 9:00 a.m. **April 10, 2012** at 10:00 a.m. and **April 11, 2012** at 9:00 a.m. Public comments will be received by the Commission beginning at 9:00 a.m. on Wednesday, April 11, 2012.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of February, 2012.

BY:

A handwritten signature in black ink, appearing to read "Rod Johnson". The signature is stylized with a large, looping "R" and "J".

HEARING OFFICER