

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1587
of Empire Holdings, LLC, Omaha,)
seeking to acquire, through) PREHEARING ORDER AND
transfer, the authority as a) ORDER ON PROTESTANT'S
common carrier granted to) MOTION TO DISMISS
Embassy Limousine, Inc., in)
Certificate B-1392.)
) Entered: September 27, 2002

BY THE HEARING OFFICER:

Omaha Limousine Co., L.L.C., Protestant in the above-captioned matter, filed with the Commission a Motion to Dismiss on September 27, 2002, based upon the failure of Empire Holdings, LLC, Applicant, to comply with the Commission's Order to Compel discovery responses.

Protestant's Motion to Dismiss is denied, however, the Commission finds that Applicant must respond to discovery as previously ordered by or before 5:00 p.m. on Tuesday, October 1, 2002. A copy of the Commission's Order compelling responses to specific interrogatories or requests is attached.

Both parties are further ordered to exchange all exhibits to be introduced at hearing by or before 5:00 p.m. on Friday, October 5, 2002.

O R D E R

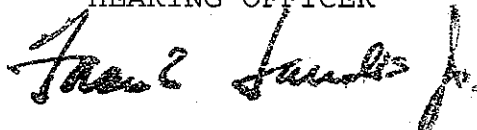
IT IS THEREFORE ORDERED by the Hearing Officer in the above-captioned matter that Protestant's Motion to Dismiss is hereby denied.

IT IS FURTHER ORDERED that Applicant respond to discovery requests as previously ordered by or before 5:00 p.m. on Tuesday, October 1, 2002

IT IS FINALLY ORDERED that both parties exchange copies of all exhibits to be introduced at hearing by or before 5:00 p.m. on Friday, October 5, 2002.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of September, 2002.

HEARING OFFICER



Frank Landis