

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1621
of Phoenix Counseling, Inc.,)
d/b/a Phoenix Transportation)
Services, Omaha, Nebraska.) PLANNING CONFERENCE ORDER
AND NOTICE OF HEARING
ENTERED: AUGUST 19, 2004

BY THE HEARING OFFICER:

On March 19, 2003, an application was filed by Phoenix Counseling, Inc. d/b/a Phoenix Transportation Services ("Applicant") seeking authority as a passenger carrier pursuant to Neb. Rev. Stat. Section 75-310. Protests were timely filed by Happy Cab, Yellow Cab, Checker Cab, Cornhusker Cab, Prince of the Road, and Shared Mobility Coach, Inc. (collectively "the Protestants"). Prince of the Road subsequently withdrew its protest on or about June 29, 2004.

A hearing on the above-captioned application was originally scheduled by hearing officer order for June 30, 2004. However, the hearing was rescheduled for September 7, 2004, pursuant to Applicant's June 29, 2004, Motion to Continue. Happy Cab, Yellow Cab, Checker Cab, Cornhusker Cab subsequently filed a Motion to Continue and the hearing was rescheduled to take place on September 7, 2004 at 10 a.m. in the Commission Hearing Room/Library, 300 The Atrium, 1200 N Street, Lincoln, Nebraska and via video conference at 1313 Farnam on the Mall, Room 207, Omaha, Nebraska.

Due to the fact that the hearing on this matter has been rescheduled, the hearing officer finds that the following procedural schedule shall be followed:

Deadline	Event
August 27, 2004	Any stipulations and exhibits must be exchanged by the parties and filed with the Commission. Final witness lists exchanged by the 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.
September 3, 2004	All evidentiary motions, including any motions in limine or motions to

2004 exclude witnesses, must be filed with the Commission.

For video conferences: 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.

A hearing fee of fifty dollars (\$50.00) for each half day of hearing will be charged to the applicant payable upon billing from the Executive Director of the Public Service Commission (Neb. Rev. Stat. Sec. 75-128, Cum. Supp. 2003).

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.

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

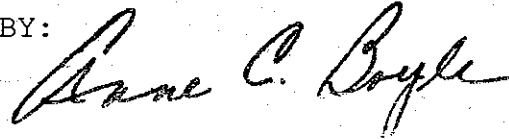
IT IS FURTHER ORDERED that a Hearing in Application No. B-1621 will be held on September 7, 2004, at 10:00 a.m. at the Nebraska State Office Building, Room 207, 1313 Farnam, Omaha, Nebraska, and via video conference in the Commission Library, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

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MADE AND ENTERED at Lincoln, Nebraska, this 19th day of August,
2004.

BY:

A handwritten signature in dark ink, appearing to read "Anne C. Boyle". The signature is fluid and cursive, with the first name "Anne" being more prominent.

HEARING OFFICER

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