

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. B-1634
of Liberty Transportation Inc.,)
Omaha, Nebraska, seeking)
authority as a common carrier of)
passengers and their baggage in) PLANNING CONFERENCE ORDER
open class service by van over)
irregular routes between points)
in Douglas, Sarpy, Cass and)
Washington Counties to include)
the transportation of clients of)
the Nebraska Department of)
Health and Human Services.) Entered: January 20, 2004

BY THE HEARING OFFICER:

On June 23, 2003, an application was filed by Liberty Transportation Inc., of Omaha, Nebraska seeking authority as a passenger carrier pursuant to Neb. Rev. Stat. Section 75-310. A Protest was timely filed by Prince of the Road, A & B Shuttle, Happy Cab, Checker Cab, Yellow Cab and Cornhusker Cab.

In order to process the application, the Commission held a planning conference in this matter on January 8, 2004, at 3:30 p.m. at the Commission, 300 The Atrium, 1200 N Street, Lincoln, Nebraska and via telephone conference with the Applicant and the Protestants. The following persons were present at the conference: the Hearing Officer, Chair Anne Boyle, and staff attorney Shana Knutson. Jackie Barfield, attorney for the applicant, Jerry Sena attorney for Happy Cab, Checker Cab, Yellow Cab and Cornhusker Cab, and John Boehm, attorney for Prince of the Road participated in the conference by telephone.

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

Deadline	Event
February 23, 2004	All discovery concluded. All discovery responses shall be due no later than this date.
February 25, 2004	Any stipulations and exhibits must be exchanged by the parties and filed with the Commission. Final

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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.

**February 27,
2004**

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.

The hearing in Application No. B-1634, will be held on **March 3, 2004**, at 10:00 a.m. in the Commission Library, 300 The Atrium, 1200 N Street, Lincoln, Nebraska and via video conference at the following site: Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam, Omaha, Nebraska.

In addition to serving the Commission with Exhibits and Witness Lists, the parties shall also cause service to be made on the following individual:

Mr. Ryan Tessendorf, Esq.
Dalke, Smith, Harris, Nelson & Tessendorf
609 Elk Street
PO Box 727
Beatrice, NE 68310-0727

Following the hearing, parties should submit written closing arguments fourteen days from the hearing date.

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

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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-1634, will be held on March 3, 2004, at 10:00 a.m. in the Commission Library, 300 The Atrium, 1200 N Street, Lincoln, Nebraska and via video conference at the following site: Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam, Omaha, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 20th day of January 2004.

BY:



HEARING OFFICER

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