

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) APPLICATION NO. B-1727  
of Confidential Transportation, )  
Inc., Omaha, seeking authority as a ) PREHEARING CONFERENCE  
common carrier in the ) ORDER AND NOTICE OF  
transportation of passengers in ) HEARING  
open class service over irregular )  
routes of passengers having a )  
primary diagnosis of mental )  
illness between mental health )  
clinics located in Douglas County, )  
on the one hand, and, on the other )  
hand, points located within )  
Douglas County. ) ENTERED: APRIL 23, 2009

BY THE HEARING OFFICER:

On February 24, 2009, an application was filed by Confidential Transportation, Inc., Omaha, Nebraska, seeking authority as a common carrier passengers and their baggage pursuant to Neb. Rev. Stat. Section 75-310. A Motion for Leave to Amend Application was granted by the Commission on February 24, 2009. The application was republished as amended on March 10, 2009. Protests were timely filed by Happy, Yellow and Checker Cab Companies, Omaha, Cornhusker Cab Company, Omaha, Prince of the Road, Ravenna, and by VIP Limousine, Al Limousine and by Alford Oil of Omaha.

In order to process the application, the Commission staff held a planning conference in this matter on April 22, 2009, at 10:30 a.m. via telephone conference with the applicant and counsel for protestants. The following persons were present at the conference: Bradford Kistler, attorney for the applicant; Michael Polk, attorney for protestants Happy Cab, Yellow Cab and Checker Cab; John Boehm, attorney for protestant Prince of the Road; and Mark Breiner, staff attorney.

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.

Deadline	Event
May 6, 2009	All written discovery served. No further written discovery between the parties shall take place after this date.

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**May 27, 2009** Answers to Interrogatories and Responses to Request for Production and Responses to Request for Admissions are due.

**June 5, 2009** 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.

**June 5, 2009** Any stipulations and exhibits 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.

**June 8, 2009** 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 Application No. B-1727, will be held on **June 10 and June 11, 2009**, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, and the Nebraska State Office Building, 1313 Farnam Street, Room 207, Omaha, Nebraska.

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-1727, will be held on **June 10 and June 11, 2009**, at 10:00 a.m. in the Commission Library, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, and the Nebraska State Office Building, 1313 Farnam Street, Room 207, Omaha, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of April, 2009.

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 the most prominent.

HEARING OFFICER