

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1798
of Triumph Transportation, Inc.,) SUPPLEMENT 1
d/b/a Prince of the Road, Kearney,)
seeking to extend authority as a)
common carrier in the) PLANNING CONFERENCE
transportation of passengers in) ORDER AND NOTICE OF
open class service by van and) HEARING
wheelchair vans between points in)
Lancaster County, and between)
points within said county,)
on the one hand, and, on the other)
hand, points in Nebraska over)
irregular routes. HHS Designation:)
Yes. The transportation of)
Train crews and their baggage)
crews is not authorized.) ENTERED: JULY 10, 2012

BY THE HEARING OFFICER:

On March 7, 2012, an application was filed by Triumph Transportation d/b/a Prince of the Road, Kearney, Nebraska, seeking to extend their authority by the transportation of passengers in open class service by van and wheelchair van between points in Lancaster County, and points within said county, on the one hand and, on the other hand, points in Nebraska over irregular routes. The transportation of railroad train crews and their baggage is not authorized, and the HHS Designation is yes. Timely protests were filed by Transport Plus of Lincoln; Fairbury Taxi, LLC, Fairbury; Omalink, Inc., Lincoln; Transport Plus, Inc., Lincoln; and Servant Cab LLC, of Lincoln.

In order to process the application, the Commission held a planning conference in this matter on July 6, 2012, at 10:00 a.m. via telephone conference with the Applicant and Protestants. The following persons were present at the conference: Commissioner Frank Landis; Applicant Triumph Transportation by its attorney, Andy Pollock;; Omalink, Inc., by its attorney Seth Felton; and mark Breiner, staff attorney. Josh Dethlefsen attorney for Protestant Transport Plus, was inadvertently not notified of the time of the conference and was consulted regarding the dates and times herein set forth; and Spencer Fentriss of Fairbury Taxi and Kirby Young of Servant Cab, Lincoln, were not present at the conference and waived their rights to be present.

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
July 27, 2012	All written discovery served. Supplemental written discovery may be served by the parties after this date as agreed by the parties.
August 10, 2012	Answers to Interrogatories and Responses to Request for Production and Responses to Request for Admissions are due.
August 22, 2012	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.
August 28, 2012	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.
August 30, 2012	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.

APPLICATION NO. B-1798, SUPPLEMENT. 1

PAGE 3

Finally, the hearing in Application No. B-1798, Supplement 1, will be held on **September 4,, 2012, beginning at 11:00 a.m.** and on **September 5, 2012, at 10:30 a.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

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

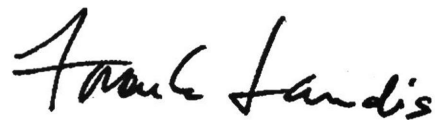
O R D E R

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-1798, Supplement 1, will be held on **September 4,, 2012, beginning at 11:00 a.m.** and on **September 5, 2012, at 10:30 a.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 10th day of July, 2012.

BY:



HEARING OFFICER

