

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) APPLICATION NO. B-1808  
of Handivan Transports, Inc., )  
seeking authority for the )  
transportation of passengers by ) PLANNING CONFERENCE  
wheelchair accessible vans in ) ORDER AND NOTICE OF  
open class service over irregular ) HEARING  
routes between points within )  
Omaha corporate city limits. HHS )  
Designation: Yes. RESTRICTION: )  
The transportation of railroad ) ENTERED: FEBRUARY 12, 2013  
train crews is not authorized. )

BY THE HEARING OFFICER:

On December 12, 2011, an application was filed by Handivan Transports, Inc., Omaha, Nebraska, seeking authority for the transportation of passengers by wheelchair accessible vans in open class service over irregular routes between points within the Omaha corporate city limits. The transportation of railroad train crews is not authorized, and the HHS designation is Yes. Protests were timely filed by Shared Mobility Coach, Omaha, Nebraska; Transport Plus of Lincoln, Nebraska; and by Prince of the Road, Kearney, Nebraska.

A withdrawal of the protest filed by Transport Plus was received by the Commission on November 16, 2012. The withdrawal cited that the Applicant was not seeking authority in Lancaster County and that their protest was withdrawn. A Motion to withdraw as legal counsel was filed by the original attorneys for the Applicant, Mark A. Fahleson and Andrew Pollock, on November 19, 2012. An Entry of Appearance was made by Stephen D. Mossman and Joshua E. Dethlefsen on November 29, 2012, as the new legal counsel for the Applicants.

In order to process the application, the Commission held a planning conference in this matter on February 4, 2013, at 9:00 a.m. via telephone conference. The following persons were present at the conference: Stephen D. Mossman and Joshua E. Dethlefsen, attorneys for the Applicant; Kirk Nelson, one of the owners of 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
<b>February 15, 2013</b>	All written discovery served. Supplemental written discovery may be served by the parties after this date as agreed by the parties.
<b>March 18, 2013</b>	Answers to Interrogatories and Responses to Request for Production and Responses to Request for Admissions are due.
<b>March 29, 2013</b>	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.
<b>April 3, 2013</b>	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.
<b>April 8, 2013</b>	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-1808, will be held on **April 10, 2013**, at 9:30 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, and at the Nebraska State Office Building, 1313 Farnam Street, Room 207, Omaha, Nebraska.

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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-1808, will be held on **April 10, 2013**, at 9:30 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, and at the Nebraska State Office Building, 1313 Farnam Street, Room 207, Omaha, Nebraska

MADE AND ENTERED at Lincoln, Nebraska, this 12th day of February, 2013.

BY:



HEARING OFFICER

