

**BEFORE THE STATE BOARD OF EQUALIZATION**

**FOR THE STATE OF WYOMING**

IN THE MATTER OF THE APPEAL OF )  
MIDWEST GENERATION LLC FROM A )  
DECISION BY THE DEPARTMENT OF )  
REVENUE (Stmt. of Private Railcar Tax, 2016))

Docket No. 2016-47

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**SCHEDULING CONFERENCE ORDER**

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**THIS MATTER** came before the State Board on its own motion. The State Board having reviewed the file herein and being otherwise advised in the premises:

**IT IS ORDERED** the State Board, through Gayle R. Stewart, Executive Secretary-Attorney, shall hold a scheduling conference at **10:30 a.m., December 5, 2016**, in Room 1722, State Board Room, Herschler Building, Cheyenne, Wyoming. Any party desiring to appear by telephone may do so by notifying the State Board in writing not later than two business days before the scheduled hearing date. Any party appearing by telephone shall place a call to **307-777-7325**, at which time the Hearing Officer will be available and the scheduling conference shall commence.

**IT IS FURTHER ORDERED** the Petitioner shall on or before **November 14, 2016**, and the Department of Revenue shall, on or before **November 29, 2016**, pursuant to Rules, Wyo. State Bd. of Equalization, ch. 2 § 10, file with the State Board (**original and four copies**) and serve on all other parties, a preliminary statement setting forth:

1. A brief summary of the contentions of the parties;
2. Significant uncontroverted facts about which there is no genuine issue which may be established by admission or stipulation;
3. Contested issues of fact;
4. Contested issues of law (a party may include memorandum on significant legal issues at their option);
5. An initial indication of the names, addresses, and a brief description of the testimony of each witness the party intends to present at the hearing;
6. An initial exhibit list;

7. The amount of the tax assessment or refund denial, and/or the amount of tax in controversy;

8. Any request to convert the case to an expedited case pursuant to Rules, Wyo. State Bd. of Equalization, ch. 2 § 15;

9. An assessment of the probability of settlement; and

10. An estimate of the time required for the hearing.

Dated this 17<sup>th</sup> day of October, 2016.

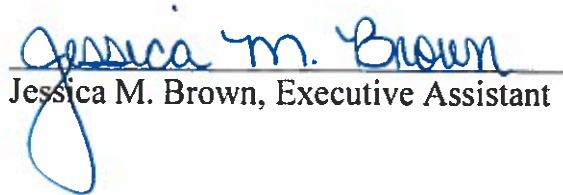
**STATE BOARD OF EQUALIZATION**



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E. Jayne Mockler, Chairman

**ATTEST:**



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Jessica M. Brown, Executive Assistant

## CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of October, 2016, I served the foregoing **SCHEDULING CONFERENCE ORDER** by placing a true and correct copy thereof in the United States Mail, postage prepaid, and properly addressed to the following:

Beata Listopad  
Property Tax Manager  
NRG Energy, Inc.  
804 Carnegie Center  
Princeton, NJ 08540

Karl D. Anderson  
Senior Assistant Attorney General  
Kendrick Building  
2320 Capitol Ave.  
Cheyenne, WY 82002

  
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Jessica M. Brown  
Executive Assistant  
State Board of Equalization  
P.O. Box 448  
Cheyenne, WY 82003  
Phone: (307) 777-6989  
Fax: (307) 777-6363

cc: State Board of Equalization  
Brenda Arnold, Property Tax Division, Department of Revenue  
ABA State and Local Tax Reporter