

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Terri Fritz,) GDC-445/GD-3022
Grain Program Manager, Grain)
Warehouse Department, Nebraska)
Public Service Commission,)
)
)
COMPLAINANT,) ORDER TEMPORARILY SUSPENDING
) LICENSE
v.)
)
Pipeline Foods, LLC,)
Minneapolis, Minnesota,)
)
)
RESPONDENT.) Entered: August 10, 2021

BY THE COMMISSION:

Upon the verified Complaint of Terri Fritz, Grain Program Manager, Grain Warehouse Department ("Complainant"), filed on August 5, 2021, Pipeline Foods, LLC, Minneapolis, Minnesota, ("Respondent") was alleged to be in violation of The Grain Dealer Act, Neb. Rev. Stat. § 75-901 et seq. (2018) ("The Act") by failing to include specific "Warning to Seller" language.

Included in Complainant's requests for relief, Complainant seeks temporary suspension of Respondent's grain dealer license. Pursuant to Neb. Rev. Stat. § 75-903.01, if the Commission determines that the public good requires it, the Commission may, after the filing of a complaint and without hearing, temporarily suspend a grain dealer's license pending the determination of a complaint. The omission of the "Warning to Seller" language on Respondent's grain purchase contracts fails to provide Nebraska producers notification of the procedures that must be followed in order to have recourse to a licensed grain dealer's security. Strict adherence to these procedures is necessary to recover from a grain dealer's security. Respondent currently has numerous outstanding grain purchase contracts that omit this language.

Further, it has come to the department's attention that on June 15, 2021, Respondent was administratively dissolved by the Nebraska Secretary of State. Respondent's administrative dissolution has the potential to call into question its good standing with the Nebraska Secretary of State and to potentially restrict its ability to operate as a business in Nebraska.

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Respondent's continued operation as a licensed grain dealer while utilizing such contracts and the potential effects of Respondent's administrative dissolution with the Nebraska Secretary of State has the potential to expose Nebraska producers to unnecessary risks.

Based on the above, the Commission finds that the public good requires the license granted to Pipeline Foods, LLC, in GD-3022 to be temporarily suspended pending the determination of the Complaint filed in GDC-445.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the public good requires the Grain Dealer License issued to Pipeline Foods, LLC, in GD-3022, be, and is hereby, temporarily suspending pending the determination of the Complaint filed in GDC-445.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 10th day of August, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Swader
Mary Keddin
Tim Schram

Don Watson

Chair

ATTEST:

Michael S. Hyl

Executive Director