

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Terri Fritz,)	GDC - 446
Grain Program Manager, Grain)	
Warehouse Department, Nebraska)	
Public Service Commission,)	
)	
)	
COMPLAINANT,)	
)	
v.)	ORDER ADOPTING PROCEDURAL
)	SCHEDULE AND SETTING HEARING
Banghart Properties, LLC,)	
a.k.a Fearless Grain Marketing)	
Storage and Arbitrage, a.k.a)	
Fearless Grain Marketing,)	
a.k.a Fearless Grain,)	
Gettysburg, South Dakota,)	
)	
)	
RESPONDENT.)	Entered: December 7, 2021

BY THE HEARING OFFICER:

On October 21, 2021, Terri Fritz, Grain Program Manager of the Grain Warehouse Department ("Complainant"), of the Nebraska Public Service Commission ("Commission"), filed a department complaint against Banghart Properties, LLC, a.k.a Fearless Grain Marketing Storage and Arbitrage, a.k.a Fearless Grain Marketing, a.k.a Fearless Grain, ("Banghart"), Gettysburg, South Dakota, alleging that Banghart violated Neb. Rev. Stat. §§ 75-903 and 75-904, and 291 Neb. Admin. Code § 08-003.05A8. Complainant alleges that Banghart operated as a grain dealer with a license and by taking possession of grain without issuing a written communication compliant with Commission rules. In the complaint, Complainant seeks to assess any such fines authorized by Neb. Rev. Stat. §§ 75-910 and 75-156. On November 12, 2021, Respondent filed a timely answer responding to the complaint.

On December 7, 2021, a telephonic planning conference was held to discuss a procedural schedule and hearing date. Mr. Dillon Keiffer-Johnson represented the Commission staff, and the following persons participated via telephone: Mr. Robert T. Konrad and Mr. Loel P. Brooks on behalf of Respondent.

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As a result of the planning conference several issues were decided. Therefore, this Order serves to memorialize those decisions and provide a timeline for proceeding in this docket. I find that the following schedule should be adopted:

Date	Event
12/14/2021	Final date for discovery requests to be served by all Parties.
12/28/2021	All written discovery responses due.
12/30/2021	Final date to exchange witness and exhibit lists.
1/5/2022 at 10:00 a.m.	Hearing

Furthermore, hearing on this matter shall be set forth for **January 5, 2022 at 10:00 a.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska. To comply with Directed Health Measures, seating will be limited for in-person attendance. Remote access to the hearing will be available via Webex at the following link: <https://tiny.cc/PSCWebex> (case sensitive). Individuals may also attend the hearing by telephone: dial 408-0418-9388, then enter 146 273 5624 when prompted for the access code.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the proposed procedural schedule set forth herein be, and is hereby, adopted.

IT IS FURTHER ORDERED that hearing on this matter is scheduled for **January 5, 2022 at 10:00 a.m.** as set forth herein.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 7th
day of December, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

By:

A handwritten signature in blue ink, appearing to read "Tim Schram", written over a horizontal line.

Hearing Officer

Tim Schram