

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Terri Fritz,)	Docket No. GW-340/GWC-447
Director of the Nebraska)	
Public Service Commission)	
Grain Warehouse Department,)	
)	
Complainant,)	ORDER TO SHOW CAUSE AND
)	SCHEDULE HEARING
Vs.)	
)	
Union Grain Company,)	
)	
Respondent.)	Entered: May 10, 2022

BY THE COMMISSION:

On May 10, 2022, the Grain Warehouse Department ("Department") of the Nebraska Public Service Commission ("Commission") filed a Complaint seeking an order assessing civil penalties to Union Grain Company ("Respondent"), Saint Libory, Nebraska.

Grain warehouses are generally regulated by the Commission pursuant to the Grain Warehouse Act, Neb. Rev. Stat. §§ 88-525 through 88-552, and Neb. Admin. Code Title 291, Ch. 8 of the Commission's Rules and Regulations. Department's Complaint alleges that Respondent has violated § 88-543, which prohibits warehouse licensees from operating with less grain in the warehouse than outstanding receipts issued for grain stored by valid owners, depositors, or storers of grain in the licensed warehouse. Complainant alleges two Department audits found Respondent oversold in corn on several occasions.

Based on the above, the Commission finds that Respondent should be ordered to show cause why civil penalties should not be assessed in accordance with § 75-156. The Commission further finds that a copy of the Complaint and this Order will be mailed to Respondent via certified mail.

Finally, the Commission finds that hearing on this matter should be scheduled for **Wednesday, June 29, 2022, at 9:00 a.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska. Remote access to the hearing will be available via Webex at the following link: <https://psc.nebraska.gov/stream> (case sensitive). Individuals

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may also attend the hearing via telephone: dial 408-418-9388, 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 Nebraska Public Service Commission that Union Grain Company, Saint Libory, Nebraska, be, and is hereby, ordered to show cause why civil penalties should not be assessed for failure to comply with Nebraska law and Commission rules and regulations.

IT IS FURTHER ORDERED that a copy of the Complaint and this Order shall be mailed to Union Grain Company via certified mail.

IT IS FINALLY ORDERED that hearing on this matter is scheduled for **Wednesday, June 29, 2022, at 9:00 a.m.** as provided herein.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 10th day of May, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Brader
Mary Keddin
Tim Schram

Don W. ...

Chair

ATTEST:

Thomas W. Golden
Executive Director