BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Terri Fritz, Grain Director, Grain Warehouse Department, Nebraska Public Service Commission,) GDC-448/GD-3031))
COMPLAINANT,))) ORDER TEMPORARILY SUSPENDING) GRAIN DEALER'S LICENSE
v. Mercaris Corporation, Silver Spring, Maryland,)))
RESPONDENT.	,)) Entered: June 7, 2022

BY THE COMMISSION:

Upon the verified Complaint of Terri Fritz, Grain Director, Grain Warehouse Department ("Complainant"), filed on June 1, 2022, Mercaris Corporation, Silver Spring, Maryland ("Respondent"), is alleged to be in violation of Title 291 Neb. Admin. Code, Chapter 8, § 003.03 for failing to meet maintain a minimum allowable net worth of \$10,000.

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. As alleged in the Complaint, Respondent has had ample opportunity to fix a severe financial deficiency and bring themselves back into compliance with the rules and regulations governing a grain dealer's license in the state of Nebraska. Respondent has failed to take such remedial measures.

Upon information and belief of the Commission staff, Respondent does not currently have any outstanding contracts with Nebraska Producers. However, if this Order were not granted, Respondent would have the option of entering into contracts with Nebraska producers between the time of the Complaint being filed, June 1, 2022, and the date of the Show Cause Hearing, August 3, 2022. Entering into contracts without the ability to follow through on those contracts or satisfy the financial obligations of those GDC-448/GD-3031

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contracts 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 Mercaris Corporation in GD-3031 to be temporarily suspended pending the determination of the Complaint filed in GDC-448.

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 Mercaris Corporation in GD-3031, be, and is hereby, temporarily suspended pending the determination of the Complaint filed in GDC-448.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 7th day of June, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

Chair

ATTEST:

COMMISSIONERS CONCURRING: