

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of John A.) Application No. GD-2926/GDC-432
Fecht, Director Warehouse)
Department Nebraska Public)
Service Commission,)
Complainant,)
v.)
Sunbird, Inc., Huron, South)
Dakota, Respondent.) Entered: February 28, 2012

BY THE COMMISSION:

Upon the verified complaint of John A. Fecht, Director, Warehouse Department, Complainant, Respondent was alleged to be in violation of The Grain Dealer Act, Neb. Rev. Stat. § 75-901 et seq. (2008) (The Act) by failing to comply with Commission financial requirements and failing to timely file financial statements.

Respondent signed a stipulation agreeing to pay a civil penalty in the amount of one thousand fifty dollars (\$1050.00). Respondent has returned the signed stipulation and a check in the full amount. Additionally, Respondent has returned its grain dealer license and is pursuing a grain dealer license through a separate entity. Therefore, Complainant recommends that the complaint be dismissed and the hearing previously scheduled for March 6, 2012 be cancelled.

Based upon the stipulation, the Commission finds that the complaint should be dismissed, license GD-2926 be cancelled and the hearing cancelled.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the complaint filed against Sunbird, Inc., be dismissed, license GD-2926 be cancelled and the hearing scheduled for March 6, 2012 be cancelled.

MADE AND ENTERED at Lincoln, Nebraska, this 28th day of February, 2012.

COMMISSIONERS CONCURRING: NEBRASKA PUBLIC SERVICE COMMISSION

Tim Schram
Anne Boyle
Gerald G. Voss
//s// Rod Johnson
//s// Frank Landis

Chairman
ATTEST:

[Signature]
Executive Director