

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of John A. Fecht, ) GDC-433  
Director Warehouse Department )  
Nebraska Public Service Commission, )  
Complainant, )  
v. ) ORDER TO DISMISS  
Mosher's Organic Grain Co., L.L.C., )  
Bushnell, Nebraska, )  
Respondent. ) Entered: October 16, 2012  
BY THE COMMISSION:

On July 31, 2012, John A. Fecht, Director of the Grain Warehouse Department (Complainant), filed an amended complaint in this docket alleging a violation of Neb. Rev. Stat. § 75-901 et seq. (2008). Complainant alleged Respondent, without holding a license as a grain dealer in the state of Nebraska, held itself out to the public as a grain dealer and purchased grain in Nebraska and/or transported grain into Nebraska for the purposes of selling said grain. Complainant sought an order assessing appropriate civil penalties and ordering Respondents to cease and desist all grain dealer operations in Nebraska.

Respondent, **Mosher's Organic Grain Co., L.L.C.**, has signed a stipulation with Complainant to dismiss the departmental complaint.

The Commission finds that the signed stipulation is satisfactory and therefore the above-listed Respondent should be dismissed from the complaint and the hearing on the matter should be cancelled.

This order in no way addresses the Respondent's pending application for a grain dealer license. Until such time as Respondent satisfactorily completes the application process and meets all requirements, a grain dealer license will not be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Mosher's Organic Grain Co., L.L.C. be, and is hereby, dismissed from the complaint and the hearing previously scheduled is cancelled.

MADE AND ENTERED at Lincoln, Nebraska this 16<sup>th</sup> day of October, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Tim Schram*  
*Anne Boyle*  
*Frank Landis*  
//s// Rod Johnson  
//s// Frank Landis

Chairman

ATTEST:

Executive Director