

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of John A. Fecht, ) GWC - 441  
Director Warehouse Department )  
Nebraska Public Service )  
Commission, )  
Complainant, ) ORDER TO CLOSE WAREHOUSE  
) NUMBER GW-2136 AND TAKING  
) TITLE TO ALL GRAIN  
)  
v. )  
)  
Pierce Elevator, Inc., Pierce, )  
Nebraska, )  
) Entered: March 5, 2014  
Defendant. )

BY THE COMMISSION:

John A. Fecht, Director, Warehouse Department, Complainant, Defendant filed a verified petition seeking an order to close the warehouse of Pierce Elevator, Inc., Pierce, Nebraska. (Defendant) and to take title to all grain in the warehouse.

Defendant voluntarily surrendered its grain dealer and grain warehouse licenses on March 4, 2014.

Pursuant to Neb. Admin. Code, Title 291, Ch. 8 § 002.18B3 the Commission finds that Defendant's warehouse should be closed due to the surrender of the license. Furthermore, the Commission finds that it should take title to all grain in storage as of the date of this order in trust for distribution on a pro rata basis to all valid owners, depositors or storers of grain who are holders of evidence of ownership of grain.

The above actions are taken pursuant to the authority granted to the Commission in Neb. Rev. Stat. § 88-547 (2006 Cum. Supp.).

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Defendant's warehouse is closed effective immediately.

IT IS FURTHER ORDERED that the Commission hereby takes title to all grain in storage as of this date in trust for distribution on a pro rata basis to all valid owners, depositors, or storers of grain who are holders of evidence of ownership of grain. In so ordering, the Commission does not intend to distribute said grain immediately, but rather after further consideration and order of the Commission and investigation to determine any liability against the grain dealer and grain warehouse bonds.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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IT IS FINALLY ORDERED that this order shall take effect immediately upon signature.

MADE AND ENTERED at Lincoln, Nebraska, this 5th day of March, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

*Frank Landis*  
Chairman

COMMISSIONERS CONCURRING:

*Gerald L. Wap*

//s//Anne C. Boyle  
//s//Rod Johnson  
//s//Frank E. Landis

ATTEST:

*Steve Meredith*  
Executive Director