

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Complaint)	Application No. GW-2192/
of John Fecht, Director of the)	GWC-442
Nebraska Public Service)	
Commission Grain Warehouse)	
Department,)	
)	ORDER TO SHOW CAUSE AND
Complainant,)	NOTICE OF HEARING
vs.)	
)	
Wellington Technologies, LLC)	
d/b/a Booth Feeds,)	
)	
Respondent)	Entered: February 23, 2016

BY THE COMMISSION:

On February 22, 2016, the Grain Warehouse Department (Department) of the Nebraska Public Service Commission (Commission) filed a Complaint seeking an order assessing civil penalties and revoking the operating warehouse license of Wellington Technologies, LLC d/b/a Booth Feeds, Beatrice, Nebraska, (Respondent), alleging that said warehouse licensee violated provision of the Grain Warehouse Act, Neb. Rev. Stat. §§ 88-525, et seq. (Reissue of 2014) and Neb. Admin. Code Title 291, Ch. 8 of the Commission's Rules and Regulations.

A copy of the complaint and this order shall be mailed to the Respondent via certified mail.

Grain warehouses are generally regulated by the Commission pursuant to the Grain Warehouse Act, Neb. Rev. Stat. §§ 88-525, et seq. (Reissue of 2014)(Act) and Neb. Admin. Code Title 291, Ch. 8 of the Commission's Rules and Regulations.

Pursuant to § 88-543, warehouse licensee are prohibited 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. Violation of such requirement is grounds for implementation of fines and/or revocation of the warehouse license to do business as a warehouse in Nebraska.

Based on the results of grain warehouse exams conducted of Respondent's warehouse on June 3, 2014, February 3, 2015, March 30, 2015, and February 4, 2016, showing continued violation of the Act prohibiting warehouse licensees from operating with less grain in the warehouse than outstanding receipts issued for grain stored by valid owners and Respondent's continued disregard of the violation reports, advisory and explanatory

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Department, and directives from Department staff on proper practice and procedure, Respondent may be subject to fines or revocation of its operating license.

The Commission finds the Respondent should be ordered to show cause as to why civil penalties should not be assessed and/or its warehouse operating license should not be revoked. Furthermore, the Commission finds that a hearing should be scheduled on this matter on **March 29, 2016, at 2:30 p.m. CDT** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

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 Commission at (402) 471-0213 (TDD) or 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 Respondent show cause as to why civil penalties should not be assessed and/or its warehouse operating license should not be revoked for failure to comply with Nebraska law and Commission rules and regulations.


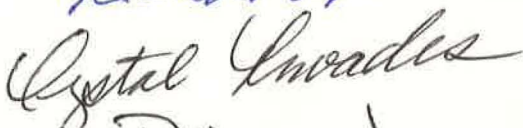
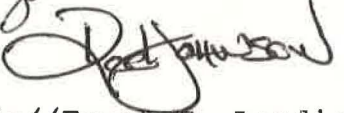
IT IS FURTHER ORDERED that a copy of the complaint and this order shall be mailed to Respondent via certified mail.

IT IS FINALLY ORDERED that a hearing on this matter is scheduled for **March 29, 2016, at 2:30 p.m. CDT** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 23rd day of February, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION


COMMISSIONERS CONCURRING:

//s//Frank E. Landis
//s//Tim Schram


Chairman

ATTEST:


Executive Director