

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of)	FORMAL COMPLAINT NO. FC-1160
Saunders County, Nebraska)	
)	
Petitioner)	
)	COMPLAINT DISMISSED
vs.)	
)	
Burlington Northern Railroad)	
St. Paul, Minnesota)	
)	
Defendant)	ENTERED: September 28, 1982

BY THE COMMISSION:

OPINION AND FINDINGS

On or about May 24, 1982, Saunders County, Nebraska, Petitioner, filed a Formal Complaint against the Burlington Northern Railroad Co., St. Paul, Minnesota, Defendant, alleging that a wooden viaduct at Mile Post (MP) 37.42 approximately 1.4 miles southwest of Ashland, Saunders County, Nebraska, spanning the main line tracks of the Defendant was badly in need of repair and was a hazard to the public. A copy of the complaint was served upon the Defendant's Division Superintendant at Lincoln, Nebraska. The Defendant has now satisfied the complaint and explains that it will repair the bridge at MP 37.42 to its original design and will request that money be put into the 1983 budget for such repairs. In view of this the Petitioner has requested dismissal of Complaint No. FC-1160.

After due consideration of the evidence and being fully advised in the premises, the Commission is of the opinion and finds that Formal Complaint No. FC-1160 should be dismissed as requested.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the request of Saunders County, Nebraska be, and it is hereby, granted; and that Formal Complaint No. FC-1160 filed by Saunders County, Nebraska against the Burlington Northern Railroad Company, Defendant be, and it is hereby, dismissed.

MADE AND ENTERED at Lincoln, Nebraska this 28th day of September, 1982.

NEBRASKA PUBLIC SERVICE COMMISSION

Harold D. Simpson
Chairman

ATTEST:

Terence L. Kuback
Executive Secretary

COMMISSIONERS CONCURRING:

Deane D. Gay

