

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Dorothy Crewdson, Route)	
6, Lincoln, Nebraska,)	Formal Complaint No. 1190
68502,)	
Complainant,)	
vs.)	ORDER OF JANUARY 21, 1985
)	VACATED
Burlington Northern)	
Railroad Company, 201)	
North 7th Street,)	
Lincoln, Nebraska 68508,)	
Defendant.)	

BY THE COMMISSION:

OPINION AND FINDINGS

On January 21, 1985, the Commission entered its order in the matter in caption in which it made the following findings:

1. That incidents have occurred at the railroad crossing at Emerald, Nebraska, involving the parking or storage of railroad cars in such a manner as to obstruct or obscure the traveling public's view of approaching trains.
2. That the commission intends to make every effort to investigate and regulate the parking and storage of cars near the railroad crossing at Emerald, Nebraska under the procedures set forth in LB 790 and commission rules adopted thereunder.
3. That for the safety of the traveling public at the railroad crossing north of Emerald, that the Defendant will not park or store cars or trains within 300 feet of the crossing from the west and 200 feet from the crossing to the east. In the event that it is necessary to park or store trains within the measurements described above, then the Defendant will place a flagman at this crossing and notify this commission.
4. That the complaint is sustained as discussed above.

The Commission has been apprised and verified that automatic crossing signals have been installed at the crossing that is the subject of that order. On its own motion, the Commission finds that the requirements imposed on the railroad in the third finding of the order entered January 21, 1985 should be vacated.

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O R D E R

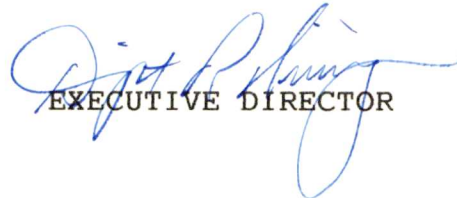
IT IS, THEREFORE, ORDERED that the order entered pursuant to the third finding made in the order entered herein on January 21, 1985 be, and it is hereby, vacated, set aside, and held for naught.

MADE AND ENTERED at Lincoln, Nebraska, this 20th day of November, 1990.


NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTESTS:


EXECUTIVE DIRECTOR

COMMISSIONERS CONCURRING:


//s//Frank E. Landis, Jr.
//s//James F. Munnelly
//s//Daniel G. Urwiller