

NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Formal Complaint) FORMAL COMPLAINT No. 1229
No. 1229 filed by Herman Bros.,)
Inc., Central Transportation Co.,)
Wheeler Transport Service, Inc., &)
Wynne Transport Service, Inc.)
Complainants,)
vs.) ORDER TO SHOW CAUSE
Gordon McElhose & Northland)
Transportation,)
Defendants.) ENTERED: June 27, 1990

BY THE COMMISSION:

OPINION AND FINDINGS

On May 16, 1990, Central Transportation Co., Inc., (Central), Herman Bros., Inc., (Herman), Wheeler Transport Service, Inc., (Wheeler), and Wynne Transport Service, Inc., (Wynne) through their attorney Jack L. Shultz made application to the Commission for an Order directing the Defendants, Gordon McElhose and Northland Transportation, Inc., to show cause if any there by why their failure to file an Answer to the Interrogatories filed herein should not be construed as an admission of the allegations of the protest.

After due consideration of the files and being fully advised in the premises, the Commission is of the opinion and finds:

1. Defendants were served with a copy of the Interrogatories on May 16, 1990.
2. Defendants were required to answer the Interrogatories on or before June 15, 1990.
3. Defendants have not filed any Answers to the Interrogatories within the prescribed time for the filing thereof.
4. Defendants should be ordered to show cause on or before July 10, 1990, why they have not responded to the interrogatories as required by the Rules of Commission Procedure.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Gordon McElhose & Northland Transportation be, and it is hereby, ordered to show cause on or before July 10, 1990 why Answers to the Interrogatories have not been filed as required by the Rules of Commission Procedure.

Formal Complaint No. 1229

Page Two

MADE AND ENTERED at Lincoln, Nebraska this 27th day of June, 1990.

NEBRASKA PUBLIC SERVICE COMMISSION

Daniel G. Urwiller
Chairman

ATTEST:

[Signature]
Executive Director

COMMISSIONERS CONCURRING:

Duane D. Gay

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