

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of: ) Departmental Complaint  
 ) No. 2942  
Wayne F. Rowe, Director )  
Transportation Department )  
Nebraska Public Service Commission ) ORDER FOR HEARING  
COMPLAINANT, )  
 )  
ROBERT GARTNER dba WILLIAMS ) ENTERED: September 11, 1990  
TRANSFER & STORAGE )  
417 North Shady Bend Road )  
Grand Island, NE 68802 )  
DEFENDANT. )

BY THE COMMISSION:

OPINIONS AND FINDINGS

Based upon the verified complaint of Wayne F. Rowe, Director, Transportation Department, served August 23, 1990, Defendant has willfully committed the following violations of the applicable Nebraska statutes, the Commission's rules and regulations, and Household Goods Tariff 7-D as specifically set forth below:

1. Defendant shipped Household Goods from Hastings to Lincoln on 9 March 90 without authority and in violation of the established rates and requirements of the Household Goods Tariff.

Shipper: Robert Brommer Date: 9 March 90  
Origination: Hastings Destination: Lincoln  
Bill of Lading No.: Unavailable  
Commodity: Household Goods

2. Defendant shipped Household Goods from McCook to Kearney on 11 December 89 without authority and in violation of the established rates and requirements of the Household Goods Tariff.

Shipper: Dwayne Imel Date: 11 December 89  
Origination: McCook Destination: Kearney  
Bill of Lading No.: Unavailable  
Commodity: Household Goods

3. Defendant shipped Household Goods from Calloway to Kearney on 28 March 90 without authority and in violation of the established rates and requirements of the Household Goods Tariff.

Shipper: Nunley Date: 28 March 90.  
Origination: Calloway Destination: Kearney  
Bill of Lading No.: Unavailable  
Commodity: Household Goods

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(3) Failure to file an answer or to appear at the hearing allows the Commission to (a) enter an Order assessing a civil penalty as provided for by law for the violations alleged in this Complaint or (b) the Commission may proceed with the hearing to receive evidence of the alleged violations and it may assess civil penalties as provided thereof.

(4) Upon failure to pay any civil penalty assessed by the Commission, such civil penalty may be collected by civil action in the district court of Lancaster County.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Hearing be held, on the matter in caption, October 17th, 1990 at 2:00 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 "N" St., Lincoln, Nebraska, and that Defendant be notified of the Hearing.


MADE AND ENTERED at Lincoln, Nebraska this 11th day of September, 1990.

NEBRASKA PUBLIC SERVICE COMMISSION

  
Chairman

ATTEST:

COMMISSIONERS CONCURRING:

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

  
Executive Director