

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Cynthia M.) Application No. FC-1368
Taylor, Omaha,)
)
Complainant)
)
v.) ORDER OF PENDING DISMISSAL
)
Golden Plains Services, Inc.)
d/b/a GPS Transportation,)
Lincoln,)
)
Defendant.) Entered: March 24, 2020

BY THE COMMISSION:

On July 5, 2019, a Formal Complaint was filed with the Nebraska Public Service Commission ("Commission") by Ms. Cynthia Taylor ("Complainant"), Omaha, against Golden Plains Services, Inc., d/b/a GPS Transportation ("GPS"), Lincoln. GPS filed its response to the complaint on July 29, 2019. Notice of the formal complaint was published in The Daily Record, Omaha, Nebraska, on July 11, 2019. No interventions were filed.

A telephonic planning conference was held on September 3, 2019. On September 5, 2019, a Hearing Officer Order was entered adopting the procedural schedule and setting a hearing date for November 5, 2019.

On October 22, 2019, Complainant filed a written request for a change in venue, requesting the hearing be held in Omaha rather than Lincoln. On October 28, 2019, Mr. Kirby Young, on behalf of Defendant, filed an objection to the change in venue request, as well as a request for a continuance. During a second telephonic conference held on October 29, 2019, Complainant withdrew her change of venue request. On November 1, 2019, a Hearing Officer Order was entered rescheduling the Hearing date for November 12, 2019. On November 8, 2019, a Hearing Officer Order was entered continuing the hearing on this matter for a later date. Commission staff attempted to contact Complainant to schedule a new hearing date and received no response.

On February 18, 2020, Complainant was sent a letter giving Complainant until February 28, 2020, to contact the Commission regarding Complainant's intent to proceed with the Complaint. To date, Complainant has failed to contact the Commission and indicate plans to proceed with the Complaint.

Based on the above, the Commission finds that a deadline for action to be taken by Complainant in this docket should be set. If the Commission does not receive any communication or filing from Complainant by **April 17, 2020**, the Commission will dismiss the complaint for failure to take timely action.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a deadline for communication with the Commission by Cynthia M. Taylor, Omaha, in Formal Complaint No. FC-1368, be and is hereby, set for **April 17, 2020**.

IT IS FURTHER ORDERED that if Cynthia M. Taylor fails to take action by **April 17, 2020** in Formal complaint No. FC-1368, the Commission will exercise its authority to enter an order dismissing the application.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 24th day of March, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Broadie
Tim Schram
Don Wooten

Mary Riddle
 Chair

ATTEST:

Philip H. Do
 Executive Director