

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Cynthia M.) Formal Complaint No. 1368
Taylor, Omaha,)
)
) Complainant)
)
v.)
) ORDER DISMISSING COMPLAINT
Golden Plains Services, Inc.)
d/b/a GPS Transportation,)
Lincoln,)
)
) Defendant.) Entered: October 19, 2021

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" or "Defendant"), Lincoln.

On July 29, 2019, GPS filed its answer to the complaint. On March 5, 2021, Defendant filed a Motion to Dismiss the complaint. A responsive filing to the Motion was never received from the Complainant. On October 5, 2021, an oral argument was held on the Motion. Neither party appeared at the oral argument.

O P I N I O N A N D F I N D I N G S

Pursuant to the Commission's Rules of Procedure, if not precluded by law, a case before the Commission may be disposed of due to default of a party and then be processed administratively without a hearing.¹ The Defendant filed a Motion to Dismiss the above-captioned complaint. The Complainant failed to file a written response to the Motion within a reasonable time. Complainant further failed to appear at the oral argument held on the Defendant's Motion. Thus, the Commission finds the Complainant to be in default on the Motion to Dismiss.

Based on the above, the Commission finds that the Complaint filed by Cynthia Taylor against Golden Plains Services, Inc. d/b/a GPS Transportation be dismissed due to the Complainant's default on the Motion to Dismiss.

¹ 291 Neb. Admin. Code §01-001.10A.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned Formal Complaint be, and is hereby, dismissed.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 19th day of October, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rob Johnson
Crystal Brander
Mary Kidden
Tim Schram

Don Watson
Chair

ATTEST:

Sharice Knutson
Deputy Director