

Transportation Department Complaint No. 2911

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of:

Wayne F. Rowe, Director
Transportation Department
Nebraska Public Service Commission
Complainant

)
)
) SETTLEMENT AGREEMENT AND
) FINAL ORDER: COMPLAINT
) 2911 DISMISSED AS
) SATISFIED
)

vs.

Pony Express Courier Corp.
M-13290
4969 F St.
Omaha, NE 68117
Defendant

) ENTERED: January 9, 1990
)
)
)
)

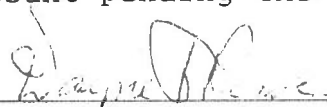
SETTLEMENT AGREEMENT

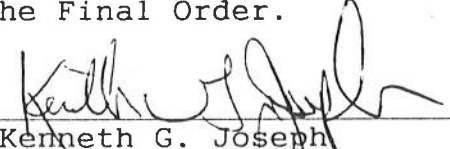
1. In the Matter of Wayne F. Rowe, Complainant versus Pony Express Courier Corporation (M-13290), Defendant, the parties agree to enter into a Compromise Settlement Agreement, as provided by Title 291, Chapter 1, Rule 027.05A, in satisfaction of Complaint No. 2911 filed pursuant to Title 291, Chapter 1, Rule 027.02B and Neb. Rev. Stat. §75-322.02.

2. Participation in this Settlement Agreement does not constitute an admission by the Defendant of any of the allegations contained in the Complaint.

3. Defendant consents to the assessment of a civil penalty in the amount of two hundred and fifty dollars (\$250) in satisfaction of the Complaint.

4. Included with this Settlement Agreement and Final Order is a money order or cashier's check remitted to the Commission in the agreed to amount payable to the Treasurer of the State of Nebraska to be held in the Commission's contingent liability account pending the issuance of the Final Order.


Wayne F. Rowe, Director
Transportation Department
NPSC


Kenneth G. Joseph
District Manager, representing
Pony Express Courier Corp.

BY THE COMMISSION:

OPINIONS AND FINDINGS

Upon the verified Complaint of Wayne F. Rowe against Pony Express Courier Corporation, the Nebraska Public Service Commission finds:

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Transportation Department Complaint No. 2911

Defendant is a regulated Motor Carrier authorized to do business in the State of Nebraska pursuant to certificate M-13290. Upon Complaint filed by the Director of the Transportation Department, the Complainant and the Defendant reached an accord to satisfy said Complaint and presented to the Commission for its consideration a Settlement Agreement and a proper remittance in the amount of two hundred and fifty dollars (\$250) for deposit in the Commission's contingent liability account pending final disposition.

The Commission finds the Settlement Agreement to be a just and proper remedy and that Defendant should be released from liability for the violations alleged in the Complaint.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Complaint filed against Pony Express Courier Corporation be dismissed as satisfied by the preceding Settlement Agreement and Defendant is released from liability for the violations alleged in the Complaint.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that the two hundred and fifty dollars (\$250) remitted by Pony Express Courier Corporation be transmitted to the Treasurer of the State of Nebraska for deposit in the permanent school fund within thirty days of the date of this Order's issuance.

MADE AND ENTERED at Lincoln, Nebraska this 9th day of January, 1990.

NEBRASKA PUBLIC SERVICE COMMISSION

Eric Rasmussen
Vice Chairman

ATTEST:

[Signature]
Executive Director

COMMISSIONERS CONCURRING:

Duane D. Gay

//s//Frank E. Landis, Jr.

//s//James F. Munnelly

//s//Eric Rasmussen