

Settlement Agreement
Departmental Complaint No. 3017

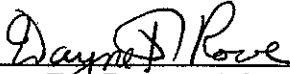
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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In re:)	
)	
Wayne F. Rowe, Director)	
Transportation Department)	
Nebraska Public Service Commission)	
Complainant,)	
)	DEPARTMENTAL
vs.)	COMPLAINT NO. 3017
)	
Don Kellogg and Domar Trucking)	
P.O. Box 787)	Complaint Dismissed as
Norfolk, Nebraska 68701)	Satisfied
Defendants.)	DATE:

SETTLEMENT AGREEMENT

1. In the matter of Complainant Wayne F. Rowe versus Defendants Don Kellogg and Domar Trucking, the parties agree to a compromise and settlement agreement (as provided by Title 291, Ch. 1, Rule 027.05) which satisfies departmental complaint 3017.
2. Participation in this agreement does not constitute an admission by the Defendants of any of the allegations contained in the complaint.
3. Defendants consent to the assessment of a civil penalty in the amount of fifteen hundred dollars (\$1500.00) in satisfaction of the complaint.
4. Included in this agreement and final order is a money order or cashier's check remitted to the Commission in the agreed to amount made payable to the Treasurer of the State of Nebraska. These funds shall be deposited in the Commission's contingent liability account pending the issuance of the final order and shall then be transferred to the Treasurer within thirty (30) days of issuance of the final order.


Wayne F. Rowe, Director
Transportation Department
NPSC


Don Kellogg and
Domar Trucking

BY THE COMMISSION:

OPINION AND FINDINGS

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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Upon the verified complaint of Wayne F. Rowe against Don Kellogg and Domar Trucking , the Nebraska Public Service Commission finds:

Defendants are a motor carrier not authorized to do business in Nebraska as an intrastate common carrier. After a complaint was filed by the Director of the Commission's Transportation Department, the Complainant and Defendants reached an agreement to satisfy the complaint and presented to the Commission a settlement agreement and remittance in the amount of fifteen hundred dollars 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 to this complaint. Defendants should therefore be released from liability for the violations alleged in the complaint.

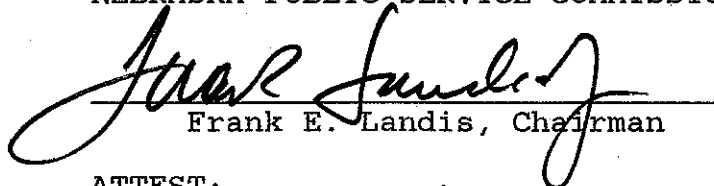
O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that departmental complaint 3017 filed against Don Kellogg and Domar Trucking is dismissed as satisfied by the settlement agreement between the parties. Defendants are hereby released from liability for the violations alleged in the complaint, having not admitted to any of the allegations contained therein.

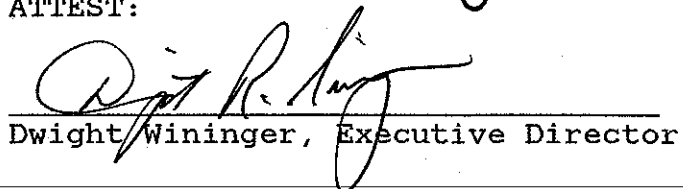
IT IS FURTHER ORDERED by the Nebraska Public Service Commission that the fifteen hundred dollars remitted by the Defendants be transferred to the Treasurer of the State of Nebraska for deposit in the permanent school fund within thirty days of the date of this order.

MADE AND ENTERED at Lincoln, Nebraska this 17th day of Sept., 1991.

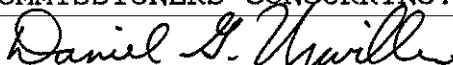
NEBRASKA PUBLIC SERVICE COMMISSION


Frank E. Landis, Jr., Chairman

ATTEST:


Dwight Wininger, Executive Director

COMMISSIONERS CONCURRING:


//s//Frank E. Landis, Jr.
//s//James F. Munnelly
//s//Eric Rasmussen