

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In re Wayne F. Rowe, Director,)	
Transportation Department of)	DEPARTMENTAL COMPLAINT
the Nebraska Public Service)	NO. 3021
Commission,)	
Complainant,)	MOTION FOR RECONSIDERATION
)	SUSTAINED AND ORDER OF
vs.)	MARCH 10, 1992,
)	CONDITIONALLY SUSPENDED
BILL REID d/b/a A & B Movers,)	
)	Entered: April 7, 1992
Defendant.)	

BY THE COMMISSION:

OPINION AND FINDINGS

On March 31, 1992, the Commission considered the defendant's motion for reconsideration filed in Departmental Complaint No. 3021 on March 12, 1992.

After hearing oral arguments and being fully advised in the premises, the Commission is of the opinion and finds:

1. Upon the defendant's admissions to the allegations set forth in the complaint, and upon the defendant's verbal assurances that he will cease and desist from further violating the Motor Carrier Act and Commission rules and regulations, the motion for reconsideration should be sustained in part.

2. The Commission's order of March 10, 1992, in Departmental Complaint No. 3021, should be held in abeyance and defendant's fine suspended on the condition that defendant cease and desist from conducting any additional intrastate movements outside a five-mile radius of the corporate limits of the City of Lincoln.

3. The fine of \$4,500 levied against the defendant in the Commission's order of March 10, 1992, should be reinstated and collection enforced upon any successive violation(s) by the defendant.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Motion for Reconsideration filed by the defendant in the above complaint be, and is hereby, sustained; and that the order of March 10, 1992, be, and is hereby, suspended on the condition that defendant cease and desist from conducting any intrastate carriage outside the five-mile radius exemption provided for in Neb.Rev.Stat. Section 75-303(4) (1990 Reissue).

Departmental Complaint No. 3021

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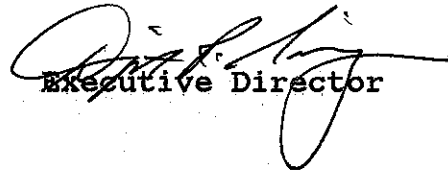
IT IS FURTHER ORDERED that upon any additional violation(s) committed by the defendant, the fine of \$4,500 imposed in the Commission's order of March 10, 1992 shall become due and owing by the defendant and collection of said fine accordingly enforced.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of April, 1992.

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

COMMISSIONERS CONCURRING:

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

COMMISSIONERS DISSENTING:

//s//Daniel G. Urwiller