

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

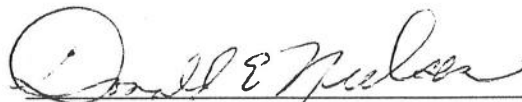
In re Robert R. Logsdon, Director of)	MOTOR CARRIER
the Nebraska Public Service Commission)	COMPLAINT
Transportation Department,)	MCC-3080
Complainant,)	
vs.)	DISMISSED AS SATISFIED
Nielsen Oil Company, West Point,)	
Nebraska,)	
Defendant.)	ENTERED: AUGUST 16, 1993

SETTLEMENT AGREEMENT

1. In the matter of complainant Robert R. Logsdon versus defendant Nielsen Oil Company, the parties agree to a compromise and settlement agreement (as provided by Title 291, Chapter 1, Rule 027.05 of the Commission Rules) which will satisfy Motor Carrier Complaint No. 3080.
2. Participation in this agreement does not constitute an admission by the defendant of any of the allegations contained in the complaint.
3. The defendant consents to the assessment of a civil penalty in the amount of five thousand dollars (\$5,000.00) 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 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.

Signed and dated this 12th day of August, 1993.


Robert R. Logsdon, Director
NPSC Transportation Dept.


Donald E. Nielsen
for Nielsen Oil and Propane, Inc.

MOTOR CARRIER COMPLAINT NO. 3080

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BY THE COMMISSION:

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

Upon the verified complaint of Robert R. Logsdon, Complainant, against Nielsen Oil Co., Defendant, the Nebraska Public Service Commission finds as follows:

1. The defendant is not authorized to conduct common or contract carriage of fertilizer in Nebraska intrastate commerce. After a complaint was filed by the Director of the Public Service Commission's Transportation Department, both the complainant and defendant reached an agreement to satisfy the complaint and presented to the Commission a settlement agreement in the amount of five thousand dollars (\$5,000.00) for deposit in the Commission's contingent liability account, pending final disposition.

2. The Commission finds the settlement agreement to be a just and proper remedy to this complaint. The defendant should, therefore, be released from further liability for the violation(s) alleged in the complaint.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Motor Carrier Complaint No. 3080 filed against Nielsen Oil Co. be dismissed as satisfied by the settlement agreement between the parties. The defendant is 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 five thousand dollars (\$5,000.00) remitted by the defendant be transferred to the Treasurer of the State of Nebraska for deposit in the permanent school fund within thirty (30) days of the date of this order.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that the hearing set for August 26, 1993, be, and it is hereby, cancelled.

MADE AND ENTERED at Lincoln, Nebraska, this 16th day of August, 1993.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Daniel S. Gruniller
Diane D. Gay

//s//Rod Johnson
//s//Frank E. Landis, Jr.
//s//James F. Munnelly

Frank Landis
Chairman

ATTEST:

Patricia R. King
Executive Director