

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In re Robert R. Logsdon, Director of the Nebraska Public Service Commission Transportation Department,)	MOTOR CARRIER COMPLAINT MCC-3091
)	
Complainant,)	
vs.)	ORDER TO DISMISS
)	
S & C Motors, Inc., Grand Island, Nebraska, and its President, Lavern Scarborough,)	
)	
Defendant.)	ENTERED: JUNE 27, 1994

BY THE COMMISSION:

OPINION AND FINDINGS

On May 13, 1994, Robert R. Logsdon, Director of the NPSC Transportation Department, hereinafter referred to as complainant, filed a motor carrier complaint docketed MCC-3091 against defendants, S & C Motors, Inc., Grand Island, Nebraska, and its president, Lavern Scarborough.

On June 17, 1994, complainant filed a motion to dismiss the complaint for the reason that the illegal movement complained of in complainant's petition was brokered by defendants and not performed by either or both of them.

After due consideration of the motion and being fully advised in the premises, the Commission is of the opinion and finds that complainant's motion should be granted and Motor Carrier Complaint MCC-3091 should be dismissed.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that complainant's motion to dismiss be, and it is hereby, granted.

IT IS FURTHER ORDERED that Motor Carrier Complaint No. MCC-3091 be, and it is hereby, dismissed at complainant's request.

IT IS FURTHER ORDERED that no further hearing be had in this matter.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of June, 1994.

COMMISSIONERS CONCURRING:

//s//Duane D. Gay
//s//Rod Johnson
//s//James F. Munnelly
//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

Daniel G. Urwiller
Vice Chairman

ATTEST:

Dwight R. Arving
Executive Director