

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In re Robert R. Logsdon, Director)
of the Nebraska Public Service)
Commission Transportation)
Department,)
Complainant,)
vs.)
Bryan E. Slotter, dba Bryan's Team)
Moving, and dba All Ways Moving,)
Defendant.)

MOTOR CARRIER
COMPLAINT
MCC-3119

FILED

OCT 12 1994

EXECUTIVE DIRECTOR
NEBRASKA PUBLIC SERVICE
COMMISSION

COMES NOW Robert R. Logsdon, complainant in the above captioned cause, pursuant to Neb. Rev. Stat. Section 75-322.02 (1990 Reissue), and for complaint against Bryan E. Slotter, dba Bryan's Team Moving, and dba All Ways Moving, defendant, alleges as follows:

1. Complainant is the Director of the Transportation Department of the Nebraska Public Service Commission (Commission) and is the custodian of the Commission's Motor Transportation Department documents and records.

2. Defendant, Bryan E. Slotter, dba Bryan's Team Moving and dba All Ways Moving, is a motor carrier conducting for-hire intrastate carriage of household goods in the State of Nebraska. Examination of the Transportation Department's records and documents reveals that defendant does not have authority, either by certificate or permit, to conduct for-hire intrastate carriage, nor is defendant leased to any regulated intrastate motor carrier with the requisite authority to transport household goods.

3. On April 14, 1993, a warning letter was sent to defendant advising him of the necessity of obtaining state authority from the Commission to transport household goods in Nebraska intrastate commerce.

4. The defendant willfully violated the Nebraska statutes and rules and regulations of the Commission by transporting household goods in Nebraska intrastate commerce for compensation without a certificate or permit of authority, to wit:

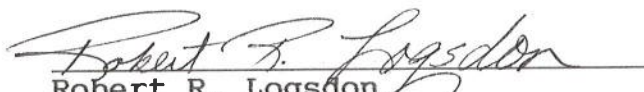
On or about October 2, 1994, defendant transported household goods without authority from Omaha, Nebraska, to Lincoln, Nebraska, and was paid approximately \$180.00 for said movement.


5. Defendant's shipment of a regulated commodity on the date alleged above was in violation of Neb. Rev. Stat. Section 75-309, as amended, for operating as a common carrier without a certificate of authority issued by the Commission.

6. Defendant also violated Neb. Rev. Stat. Sections 75-124, 75-308, and 75-126(1)(e) for nonconformance in charging the applicable tariff rate established for intrastate household goods movements; and defendant violated Section 75-307 of the statutes for failing to file proof of liability insurance with the Commission.

WHEREFORE, complainant prays the Commission for an order levying a civil penalty against the defendant pursuant to Neb. Rev. Stat. Section 75-322.02, as amended, and Title 291, Chapter 1, Rule 027.02 of the Nebraska Administrative Code in an amount not less than five hundred dollars (\$500.00) and any other order the Commission deems appropriate and which is within its jurisdiction to render, including, but not limited to, an order that the defendant cease and desist from further operating without authority in Nebraska intrastate commerce.

DATED this 12th day of October, 1994.

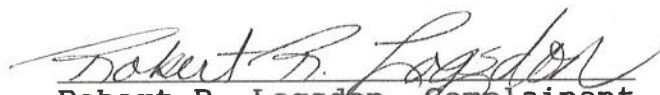

Robert R. Logsdon
Complainant
NPSC Transportation Department


Mark A. Ludwig #19207
Attorney for Complainant
P.O. Box 94927
Lincoln, NE 68509
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VERIFICATION

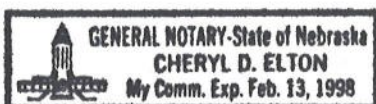
STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

Robert R. Logsdon, being first duly sworn on oath, deposes and says that he is the duly appointed and qualified Director of the Transportation Department of the Nebraska Public Service Commission; that he is the Complainant in the foregoing pleading; that he has read the allegations contained therein and understands them to be true to the best of his knowledge and belief.


Robert R. Logsdon, Complainant

Subscribed and sworn to before me this 12th day of October, 1994.

S E A L




Cheryl D. Elton
Notary Public