

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Robert R. Logsdon, Director, Transportation Department, Nebraska Public Service Commission,	)	MOTOR CARRIER COMPLAINT
	)	MCC-3144
	)	
Complainant,	)	
	)	
vs.	)	SUSTAINED AND AUTHORITIES
	)	REVOKED
The Coach, General Delivery Service,	)	
	)	
Defendants.	)	ENTERED: APRIL 18, 2000

BY THE COMMISSION:

The complainant in the matter in caption filed a motor carrier complaint and Order to Show Cause against the defendants alleging a willful failure to pay the statutorily required annual fee for each vehicle operated by an intrastate motor carrier, under Neb. Rev. Stat., Section 75-305 (Reissue 1996). By January 1 of each year, regulated carriers are required to pay the Commission an annual fee for each motor vehicle operated. Fees not received by March 1 are considered delinquent. Defendants were given the option of having the complaint and Order to Show Cause dismissed by paying the annual fees for each motor vehicle operated in 2000 as required. Notice of the complaint and hearing were sent by certified mail to the defendants. A hearing was held on the complaint on April 11, 2000, in the Commission Hearing Room. No defendant made an appearance at the hearing.

OPINION AND FINDINGS

Being fully advised in the premises, the Commission is of the opinion and finds:

The defendants are regulated motor carriers whose operations fall under the jurisdiction of the Commission and who have been issued a Certificate of Public Convenience and Necessity by the Commission.

As part of its regulatory authority and pursuant to Neb. Rev. Stat., Section 75-305, (Reissue 1996), and Title 291, Chapter 3, Rule 004 et. seq. of the Nebraska Public Service Commission Motor Carriers Rules and Regulations concerning the obligation of defendants to pay annual fees, the Commission requires regulated motor carriers to pay the Commission an annual fee for each motor vehicle operated by January 1 of each year. The defendants were notified of such requirement by first class mail on November 1, 2000.

The defendants willfully failed to comply with Neb. Rev. Stat., Section 75-305 (Reissue 1996) and Title 291, Chapter 3, Rule 004 et. seq. of the Nebraska Public Service Commission Motor Carriers Rules and Regulations concerning the obligation of defendants to pay annual fees, by not paying the annual fee per vehicle operated in 2000 as required. Accordingly, the Commission finds the certificates of public convenience and necessity issued to the following defendants should be revoked:

The Coach (B-1430)  
General Delivery, Inc. (M-14143)

## O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Motor Carrier Complaint No. 3144 be, and it is hereby, sustained.

IT IS FURTHER ORDERED that the certificates of public convenience and necessity issued to The Coach (B-1430) and General Delivery, Inc., (M-14143) be, and they are hereby, revoked.

MADE AND ENTERED at Lincoln, Nebraska, this 18th day of April, 2000.

## NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Anne C. Boyle*

*Frank E. Landis*  
//s//Frank E. Landis

ATTEST:

*Adam J. Smith*  
Chairman  
*Robert R. Lyndon*  
Executive Director