

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Andrew S. Pollock, Director)	Departmental Complaint
Transportation Department of the)	No. 3145
Nebraska Public Service Commission)	
)	
Complainant,)	
)	
vs.)	
)	
Paula Shasteen, dba Shasteen)	Entered: February 21, 2001
Transfer and Storage, Gering,)	
)	
Defendant.)	

COMES NOW Andrew S. Pollock, the Complainant, in the above captioned cause, in his official capacity as Director of the Transportation Department of the Nebraska Public Service Commission ("Commission"), for the Commission, for its complaint against the Respondent, Paula Shasteen d/b/a Shasteen Transfer and Storage, Gering, Nebraska, and states and alleges as follows:

1. Complainant is the Director of the Transportation Department of the Nebraska Public Service Commission.
2. Defendant Paula Shasteen, d/b/a Shasteen Transfer and Storage, is a common carrier transporting household goods intrastate in the state of Nebraska. The Commission's records and comments show that the defendant has authority issued from the Commission to operate as a common carrier in the state of Nebraska as follows: Transportation of household goods between points in Nebraska over irregular routes. Certificate M-14161.

3. On or about May 4, 2000, Defendant transported household goods for Ila Pfeifer from #110, The Village, Scottsbluff, Nebraska, to 5th Avenue, Scottsbluff, using a billing name of Panhandle North American. Defendant does not have authority to transport household goods on an intrastate basis under that name. Such transportation is in violation of Neb. Rev. Stat. section 75-309 (Reissue 1996).
4. On or about May 16, 2000, Defendant transported household goods for Sharon Steimark, 308 W. 33, Scottsbluff, Nebraska, to 617 W. 33rd St., Apt. 1, Scottsbluff, using a billing name of Panhandle North American. Defendant does not have authority to transport household goods on an intrastate basis under that name. Such transportation is in violation of Neb. Rev. Stat. section 75-309 (Reissue 1996).
5. On or about May 20, 2000, Defendant transported household goods for Mike Minich from 213½ W. 26, Scottsbluff, Nebraska, 124 W. 21, Scottsbluff, using a billing name of Panhandle North American. Defendant does not have authority to transport household goods on an intrastate basis under that name. Such transportation is in violation of Neb. Rev. Stat. section 75-309 (Reissue 1996).
6. Pursuant to Neb. Rev. Stat. Ch. 75, Art. 3, the

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Commission is the appropriate public body to enforce state law regarding the regulation of the intrastate transportation of household goods by common carrier.

WHEREFORE, Complainant prays the Commission for an order levying a civil penalty against the Defendant pursuant to Neb. Rev. Stat. section 75-156 (Cum. Supp. 2000) for each offense herein described and for any other order the Commission deems appropriate and is within its jurisdiction to render, including any remedy consistent with state and federal law.

Dated this 21st day of FEBRUARY, 2001.

Andrew S. Pollock

Andrew S. Pollock, Complainant
Nebraska Public Service Commission
300 The Atrium, 1200 N Street
P.O. Box 94927
Lincoln, NE 68509-4927

Michael T. Loeffler

Michael T. Loeffler #21410
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing complaint was served on the Defendant, Paula Shasteen, 3765 N. 10th Street, Gering, Nebraska 69341, by certified mail, this 21st day of February, 2001.

Andrew S. Pollock

VERIFICATION

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

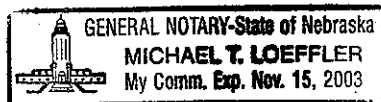
Andrew S. Pollock, being first duly sworn on oath, deposes and says that he is the duly appointed Director of the Transportation Division of the Nebraska Public Service Commission; that he is the Complainant in the foregoing pleading; that he has read the allegations contained therein; and understands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

Andrew S. Pollock

Andrew S. Pollock
Complainant

Subscribed and sworn to before me on this 21st day of February, 2001.

SEAL



Michael T. Loeffler
Notary Public

NOTICE

1. Pursuant to Neb. Admin. R. & Regs. Title 291, Ch. 1, Rule 027 et. seq., Title 291, Ch. 1, Rule 005.09, and Neb. Rev. Stat. § 75-156 (Cum. Supp. 2000) the Defendant is hereby notified that (1) the Commission will set a hearing date for this complaint and give notice to the Defendant of said date and location of the hearing; (2) an answer to this complaint shall

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be filed and shall admit or deny each material allegation of the complaint. The answer shall assert any affirmative defenses which the Respondent may assert. The answer shall be filed with the Commission within twenty (20) days after service of the complaint; (3) except for good cause shown, failure to answer will be construed as an admission of the allegations in the complaint; and, (4) failure to file an answer or to appear at the hearing allows the Commission to (a) immediately enter an order assessing a civil penalty as provided by law, or (b) to proceed with the hearing and receive evidence of the alleged violation and to assess a civil penalty as provided by law.

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