

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Mark J. Breiner	)	Application No. MCC-3154
Director of the Motor	)	
Transportation Department of the	)	
Nebraska Public Service	)	
Commission,	)	HEARING OFFICER ORDER RE
Complainant,	)	MOTIONS TO CONTINUE AND
	)	LEAVE TO FILE ANSWER
v.	)	
	)	
Mike's Moving, Omaha	)	
	)	Entered: January 13, 2005
Defendant.	)	

BY THE HEARING OFFICER:

On November 1, 2004, Mark J. Breiner, Director of the Motor Transportation Department of the Nebraska Public Service Commission (Complainant) filed a Complaint against Mike's Moving (Defendant), Omaha Nebraska alleging that it had been providing household goods transportation services after its certificate of authority was revoked. The Defendant failed to file an answer within twenty (20) days as required by Neb. Admin. Code, Title 291, Chapter 1, Section 005.09. The matter was scheduled for hearing on January 19, 2005.

On January 11, 2005, Defendant filed a Motion for Leave to File Answer Out of Time and a Motion for Continuation of the hearing.

The Hearing Officer finds that Defendant's motion to continue the hearing should be granted and that the hearing will be held on **March 8, 2005 at 1:30 p.m.**, in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

The Hearing Officer further finds that Defendant's motion for leave to file an answer out of time should be granted. The Answer attached to Defendant's motion should be considered filed as of the date of this order.

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O R D E R

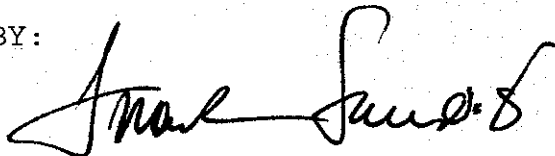
IT IS THEREFORE ORDERED by the Hearing Officer that the motion to continue the hearing shall be and is hereby granted.

IT IS FURTHER ORDERED that the hearing in MCC-3154 shall be held on **March 8, 2005 at 1:30 p.m.**, in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

IT IS FINALLY ORDERED that Defendant's motion for leave to file an answer out of time shall be granted. The Answer attached to Defendant's motion is considered filed as of the date of this order

MADE AND ENTERED at Lincoln, Nebraska, this 14th day of January, 2005.

BY:

A handwritten signature in dark ink, appearing to read "Frank Landis", written over a horizontal line.

Commissioner Frank Landis  
HEARING OFFICER