

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In re Wayne F. Rowe, Director)	APPLICATION PI-4
of Nebraska Public Service )	
Commission Transportation )	Petition for Commission Investiga-
Department, )	tion of the local carrier operation
Petitioner, )	of Bulk Carriers, Inc., Lincoln,
vs. )	Nebraska, to determine whether such
)	operation is exempt under <u>Neb. Rev.</u>
Bulk Carriers, Inc., )	<u>Stat.</u> Section 75-303(4).
(M-13679) Respondent. )	

COMES NOW THE PETITIONER, Wayne F. Rowe, Director of the Transportation Department of the Nebraska Public Service Commission and, on the the direction of the Commission and pursuant to Neb. Rev. Stat. Section 75-111 (Reissue of 1990) and Title 291, Chapter 1, Rule 012 et seq. of the Commission's Motor Carrier rules and regulations, petitions that the Commission order a hearing to determine whether the local motor carrier operation proposed by Bulk Carriers, Inc., of Lincoln, Nebraska, qualifies as an exempt operation within the purview of Neb. Rev. Stat. Section 75-303(4).

In support of his petition, Petitioner alleges as follows:

1. Respondent is an interstate common carrier with intrastate authority issued from the Commission. Respondent's Lincoln, Nebraska, operation may fall within the local zone exemption codified in Neb. Rev. Stat. Section 75-303(4) (Reissue of 1990). Respondent's interstate operation is based in Hannibal, Missouri, and comprises the majority of Respondent's business.
2. Respondent currently has one power unit licensed in Lancaster County and stationed at Schumacher's Truck Stop near the Lincoln city limits. The Respondent has a Lincoln-based driver and a corporate address in Lincoln. Respondent proposes to conduct local intrastate carrier operations out of this Lincoln base and claim the exemption under Section 75-303(4).
3. A hearing is necessary in order to determine whether such operation as Respondent proposes to conduct does fall within this suggested exemption. Absent such a hearing, Petitioner cannot determine how the Commission will interpret the applicability of Section 75-303(4) to the facts of Respondent's case.

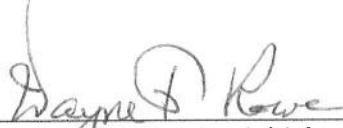
WHEREFORE, Petitioner respectfully requests the Commission grant a hearing in this matter in accordance with Commission rules and publish notice of the hearing for the benefit of all interested parties.

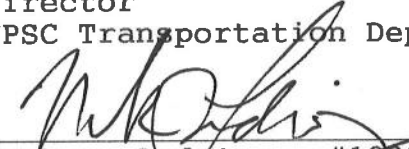
Dated this 1st day of June, 1992.

**FILED**

**JUN 1 1992**

EXECUTIVE DIRECTOR  
NEBRASKA PUBLIC SERVICE  
COMMISSION

  
Wayne F. Rowe, Petitioner  
Director  
NPSC Transportation Dept.

  
Mark A. Ludwig #19207  
Attorney for Petitioner