

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. R-184
of Central Valley Ag, Monroe,)
seeking a clearance waiver for a)
variance on height on their) GRANTED
railroad siding.)
) ENTERED: FEBRUARY 26, 2008

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed December 12, 2007, application was filed by Central Valley Ag, (Applicant), of PO Box 186, Monroe, Nebraska, requests a clearance waiver from the 23 feet height restriction to 22 feet, eight inches, for their loading facility in Monroe, Nebraska.

Notice of the waiver request was published in the Daily Record, Omaha, Nebraska, on December 17, 2007. Notice of the waiver request was also conveyed to the United Transportation Union and the Nebraska Central Railroad. No objection, Petition for Intervention, or protest was received from any party.

From the evidence adduced, and being fully informed in the Premises, the Commission is of the opinion and finds:

1. No apparent reason has been shown why a clearance Waiver should not be granted as requested by Central Valley Ag, Monroe, Nebraska.
2. It does not appear that the grant of a waiver as requested by Central Valley Ag, would endanger the railroad crews or the public.
3. Appropriate signs should be posted to warn trainmen of the reduced overhead clearance.
4. The application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. R-184 be, and it is hereby, granted.

APPLICATION NO. R-184

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MADE AND ENTERED at Lincoln, Nebraska, this 26th day of February, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Frank E. Landis

David Johnson

Tim Schram

//s// Anne C. Boyle
//s// Frank E. Landis

Anne Boyle

Chair

ATTEST:

Michael J. Hall

Executive Director