

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1684
of Safeway Transportation, LLC,)
Omaha, seeking to acquire, through)
transfer, the authority granted) GRANTED AND CERTIFICATE
to Safeway Cabs, Inc., Omaha,) B-287 REVOKED
in Certificate B-287.)
ENTERED: JUNE 27, 2006

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed March 16, 2006, Safeway Transportation, LLC, Omaha, hereinafter referred to as applicant, seeks to acquire, through transfer, the authority granted to Safeway Cabs, Inc., Omaha, in Certificate B-287.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on April 4, 2006, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1684 was processed pursuant to Rule 018.03 of the rules of procedure of the Commission.

After due consideration of the evidence and being fully advised in the premises, the Commission is of the opinion and finds:

1. Applicant is fit, willing, and able properly to perform the proposed service, and to conform to the provisions of Neb. Rev. Stat., sections 75-301 to 75-322.04, (Reissue 2003), and the requirements, rules and regulations of the Commission thereunder.
2. The proposed intrastate service will be consistent with the public interest and will not unduly restrict competition.
3. The certificate issued in Application B-287 is not dormant.
4. A certificate should be issued in Application B-1684 authorizing the following operations:

CERTIFICATE AUTHORIZED

COMMON: Transporting passengers and their baggage in the city of Omaha and vicinity.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1684 be, and it is hereby, granted; and that upon compliance with the terms and conditions set forth in this Order, a Certificate of Public Convenience and Necessity shall be issued to Safeway Transportation, LLC, Omaha, Nebraska, in Application B-1684 authorizing the operations set forth in the foregoing findings; and that to avoid a lapse of authority, the Certificate of Public Convenience and Necessity issued in Application B-287, shall be revoked and canceled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1684.

IT IS FURTHER ORDERED that applicant shall not be issued the Certificate of Public Convenience and Necessity authorized by the Commission unless and until applicant has fully complied, within a reasonable time from the effective date of this Order, with Neb. Rev. Stat. sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Reissue 2003), and with the rules and regulations of the Commission, and if upon expiration of such time applicant has not complied with such terms and conditions, this Order shall, after reasonable notice to applicant, be of no further force and effect.

IT IS FURTHER ORDERED that applicant shall not conduct operations until a Certificate of Public Convenience and Necessity is issued.

IT IS FURTHER ORDERED that the operations authorized herein shall be subject to the terms, conditions, and limitations which have been, or may hereafter be prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of June, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Vop
Ann C. Boyle
Frank E. Landis

//s// Lowell C. Johnson
//s// Frank E. Landis

Lowell C. Johnson
Chairman

ATTEST: *John Burdette*
Deputy Director