

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application	) APPLICATION NO. B-1778
of Down The Hatch, Inc., dba Down	)
The Hatch, Lincoln, seeking	)
authority as a common carrier in	) GRANTED
Nebraska intrastate commerce in	)
the transportation of passengers	)
by bus in charter and special	)
party between points in Lancaster	) ENTERED: DECEMBER 21, 2010
County, and between points in	)
Lancaster County, on the one hand,	)
and, on the other hand, points in	)
Nebraska over irregular routes.	)
HHS Designation: No. RESTRICTION:	)
The transportation of railroad	)
train crews and their baggage is	)
not authorized.	)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed September 7, 2010, Down The Hatch, Inc., dba Down The Hatch, Lincoln, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Transportation of passengers by bus in charter and special party between points in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: No. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on October 20, 2010, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1778 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:

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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 is or will be required by the following extent:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers by bus in charter and special party between points in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: No.

RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

3. The application for authority should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1778 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 Down The Hatch, Inc., dba Down The Hatch, Lincoln, Nebraska, in Application B-1778, authorizing the operations set forth in the foregoing findings.

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 1996), 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

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.

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MADE AND ENTERED at Lincoln, Nebraska, this 21<sup>st</sup> day of December, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Bob Johnson*

*Bruce Bayle*

*Tim Schram*

//s// Frank E. Landis  
//s// Gerald L. Vap

Chairman

*Gerald L. Vap*

ATTEST:

*Miss [Signature]*

Executive Director