

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Davis	)	APPLICATION NO. B-1896
Entertainment dba Ollie The	)	
Trolley, Omaha, seeking to	)	
acquire, through transfer, the	)	GRANTED AND CERTIFICATE B-1657
authority granted to Lawrence	)	REVOKED
Enterprises in Certificate B-	)	
1657.	)	
	)	ENTERED: MAY 19, 2015

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed March 2, 2015, Davis Entertainment dba Ollie the Trolley, Omaha, seeks to acquire, through transfer, the operating rights granted to Lawrence Enterprises in Certificate B-1657.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on March 13, 2015, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1896 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 extended service.
2. The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
3. The certificate issued in Application B-1657 is not dormant.
4. A certificate should be issued in Application B-1896 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Transportation of passengers on sightseeing tours to points in the city of Omaha, Nebraska, and vicinity over irregular routes in round-trip operations beginning and ending at the same location. SUPP. 1: (a) Passengers by bus which shall have a seating capacity of 10 or more between points in Omaha and Douglas County and in the general vicinity over irregular routes, transporting no less than seven passengers between points in Nebraska, except Richardson County, over irregular routes. RESTRICTION: The transportation of

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railroad train crews and their baggage is not authorized. Service Class: Charter and Special Party Bus. HHS Designation: No.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1896, 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 Davis Entertainment dba Ollie The Trolley, Omaha, Nebraska, in Application B-1896, 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-1657, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1896.

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 2014), 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 19<sup>th</sup> day of May, 2015.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gerald L. Vap*  
Chairman

*Tim Schram*  
*Crystal Knodes*  
*Reed Jensen*

ATTEST:

*Steve Meredith*  
Executive Director

//s//Frank E. Landis

//s//Gerald L. Vap