

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. B-1998
of Mike's Transportation Services)
LLC, Lincoln, seeking to acquire,)
through transfer, the authority) ORDER GRANTING
held by Golden Plains Services,) TEMPORARY AUTHORITY
Inc., d/b/a GPS Transportation,)
Lincoln, in Certificate No. B-)
1829.) Entered: July 16, 2019

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

By application filed June 11, 2019, Mike's Transportation Services, LLC ("Applicant"), Lincoln, seeks approval of the acquisition of the operating rights and authority granted Golden Plains Services Transportation, Inc., d/b/a GPS Transportation, Lincoln, in Certificate B-1829. The authority to be acquired is described in the attached Certificate of Public Convenience and Necessity.

In its application, Applicant further requested that this Commission grant temporary approval to the applicant of a lease of the motor carrier properties and the certificate sought to be acquired by it. Notice of such request for temporary authority was published in The Daily Record, Omaha, Nebraska, on July 3, 2019, pursuant to the rules and regulations of this Commission.

It appears that failure to grant temporary approval may result in destruction of or injury to such motor carrier property and the certificates sought to be acquired, or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

Such temporary approval should be granted for ninety (90) days from the effective date of this Order pursuant to Neb. Rev. Stat. § 75-319.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the application for approval of a lease of the motor carrier properties and the certificates sought to be acquired by Mike's Transportation Services, LLC, Lincoln, should be, and it is hereby, granted to the applicant for ninety (90) days from the effective date of this Order.

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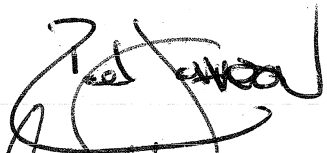


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IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of Neb. Rev. Stat. § 75-311 and to the rules, regulations and requirements of the Commission; such grant of temporary authority and the operations thereunder shall not be admissible in evidence to establish or prove present or future public convenience and necessity; and no renewal or extension of the period of ninety (90) days shall be granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 16th day of July, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Executive Director

Commissioners Dissenting:

//s//Crystal Rhoades

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Application No. B-1829

Golden Plains Services Transportation, Inc.
dba GPS Transportation
320 West P Street
Lincoln, Nebraska 68528

AFTER DUE INVESTIGATION, it is hereby certified that the above-named carrier has complied with all applicable provisions of Neb. Rev. Stat., Sections 75-301 to 75-322.04, (Reissue 2014), and the requirements, rules and regulations prescribed thereunder and, therefore, is entitled to receive authority from the Nebraska Public Service Commission to engage in transportation in Nebraska intrastate commerce as a motor carrier.

IT IS CERTIFIED, that pursuant to the Commission's Order the said carrier be, and it is hereby, issued this Certificate of Public Convenience and Necessity as evidence of the authority of the holder to engage in transportation in Nebraska intrastate commerce as a common carrier by motor vehicle; subject, however, to such terms, conditions and limitations as are now, or may hereafter be, attached to the exercise of the privileges granted to the said carrier.

AND IT IS FURTHER CERTIFIED, that the transportation service to be performed by the said carrier in Nebraska intrastate commerce shall be as specified below:

SERVICE AND TERRITORY AUTHORIZED: Transporting passengers in open class service between all points in Nebraska over irregular routes in sedans, vans, and station wagons. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. The transportation of passengers and their baggage point-to-point in Lancaster County is not authorized. The transportation services of passengers and their baggage by sedan or station wagon originating from or point-to-point within any territory where a taxicab company holds a certificate or permit is not authorized. RESERVATION: The Commission expressly reserves the right to further restrict the authority with respect to sedans and station wagons, on its own motion or the motion of another, in the event that a carrier which meets all the requirements of Article 75, Chapter 3, of the Nebraska Revised Statutes and all applicable Commission rules and regulations thereunder, offers taxi services in territories unserved as of November 26, 2002.

SUPPLEMENT 1: Transporting passengers in open class service between all points in Nebraska over irregular routes in sedans, vans, and station wagons. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. The transportation services of passengers and their baggage by sedan or station wagon originating from or point-to-point within any territory where a single taxicab company holds a certificate or permit is not authorized.

RESERVATION: The Commission expressly reserves the right to further restrict the authority with respect to sedans and station wagons, on its own motion or the motion of another, in the event that a carrier which meets all of the requirements of Article 75, Chapter 3, of the Nebraska Revised Statutes and all applicable Commission rules and regulations thereunder, offers taxi services in territories unserved as of November 26, 2002.

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ISSUED at Lincoln, Nebraska, this 3rd day of June, 2015, pursuant to the Order of June 2, 2015.

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Gerald Vap
Chairman

Commissioner Rhoades, dissenting:

I dissent with the majority vote to grant temporary operating authority for the transfer application. There is currently a formal complaint pending against GPS Services. I do not believe the Commission should move forward with approving a transfer of ownership until all complaints against GPS have been resolved. The new owner should not be responsible for resolving complaints that occurred prior to the purchase of the company; however, the customer has the right to pursue remedy against the company if there was a violation of the rules, regulations, or statutes. Therefore, the only reasonable way to proceed is for the Commission to defer transfer of the business until such complaints are resolved to mitigate potential liabilities to the new owner. I therefore respectfully dissent.

A handwritten signature in cursive script, reading "Crystal Rhoades", written in dark ink. The signature is fluid and stylized, with a horizontal line drawn beneath the name.

Commissioner Crystal Rhoades