

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application	)	Application No. B-1896
of Davis Entertainment LLC,	)	Supplement 1
d/b/a Ollie the Trolley, Omaha,	)	
seeking to extend its authority	)	
as a common carrier in Nebraska	)	
intrastate commerce in the	)	
transportation of passengers in	)	ORDER GRANTING APPLICANT'S
open class by van between points	)	REQUEST TO AMEND APPLICATION
in Cass, Dodge, Douglas, Sarpy,	)	
Saunders and Washington	)	
counties, and between said	)	
counties, over irregular routes.	)	
RESTRICTIONS: The transportation	)	
of railroad train crews and	)	
their baggage is not authorized.	)	
HHS Designation: No.	)	Entered: November 4, 2019

BY THE HEARING OFFICER:

On May 13, 2019, Davis Entertainment LLC d/b/a Ollie the Trolley ("Applicant"), Omaha, filed an application seeking authority to extend its common carrier authority to allow for the use of vans in its open class service between points in Cass, Dodge, Douglas, Sarpy, Saunders, and Washington counties, and between said counties, over irregular routes. The transportation of railroad train crews and their baggage is not authorized, and Applicant is not seeking HHS Designation. Notice of the application was published in The Daily Record, Omaha, Nebraska, on May 17, 2019.

Timely protests were filed by WHC NE, LLC d/b/a zTrip; WHC NE, LLC, d/b/a Cornhusker Cab Company; WHC NE, LLC d/b/a Happy Cab; WHC NE, LLC, d/b/a Checker Cab Company; WHC NE, LLC, d/b/a Yellow Cab Company; WHC NE, LLC, d/b/a Safeway Cabs (collectively, "zTrip"); Camelot Transportation, Inc., and Triumph Transportation, Inc. (together with zTrip, "Protestants"). Protests were granted on July 30, 2019. Hearing on this matter was scheduled for November 6, 2016.

On November 1, 2019, Applicant notified the Commission that the parties engaged in negotiations toward settlement of issues and Applicant requested permission to amend its application. Applicant's filing included the following proposed restrictive language:

RESTRICTIONS: Service may not be provided in vehicles with seating capacity of less than seven (7). Service may not be provided in sedans or minivans.

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All other proposed language related to operational territory and restrictions remain unchanged from the original application.

After due consideration, I find that Applicant's request to amend its application should be granted. The proposed additional restriction language should be added to the application to be considered.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that Applicant's request to amend its application be, and is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 4<sup>th</sup> day of November, 2019.

BY:

A handwritten signature in cursive script, reading "Crystal Rhoades", enclosed within a rectangular box.

Crystal Rhoades  
HEARING OFFICER