

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-1996
of Nebraska Excellent Health	)	
Transportation Services, Omaha,	)	
seeking authority as a common	)	
carrier in Nebraska intrastate	)	
commerce in the transportation	)	
of passengers in open class	)	ORDER OF PENDING DISMISSAL
between points in Douglas and	)	
Sarpy counties over irregular	)	
routes. RESTRICTIONS: The	)	
transportation of railroad train	)	
crews and their baggage is not	)	
authorized. HHS Designation: No.	)	ENTERED: December 17, 2019

BY THE COMMISSION:

On June 3, 2019, an application was filed by Nebraska Excellent Health Transportation Services ("Applicant"), Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class service between points in Douglas and Sarpy counties over irregular routes. The transportation of railroad train crews and their baggage is not authorized, and the HHS Designation is no. Notice of the application was published in The Daily Record, Omaha, on July 11, 2019. No protests were filed.

On August 12, 2019, Applicant was sent a letter stating that the protest period had passed and that the application would be processed pursuant to the Commission's Rules of Modified Procedure, using sworn affidavits in lieu of a hearing. Further, the letter detailed that any such affidavits must be filed with the Commission no later than 30 days from the date of the letter or the application would be dismissed. Applicant was required to return an Affidavit of Applicant and Affidavit of Supporting Shipper.

On September 3, 2019, Applicant filed the Affidavit of Applicant. On November 18, 2019, Applicant filed the Affidavit of Supporting Shipper. However, the Affidavit of Supporting Shipper was not properly completed. Commission staff subsequently attempted to notify Applicant by email and telephone that a new, properly completed Affidavit of Supporting Shipper was required in order to proceed with the application. To date, no response has been received nor has Applicant refiled an acceptable Affidavit of Supporting Shipper.

Based on the above, the Commission finds that a deadline for action to be taken by Applicant in this docket should be set. If the Commission does not receive any communication or filing from Applicant concerning this application by **December 31, 2019**, the Commission will dismiss the application for failure to take timely action.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a deadline for communication with the Commission by Nebraska Excellent Health Transportation Services, Omaha, in Application No. B-1996, be, and is hereby, set for **December 31, 2019**.

IT IS FURTHER ORDERED that if Nebraska Excellent Health Transportation Services fails to take action by **December 31, 2019** in Application No. B-1996, the Commission will exercise its authority to enter an order dismissing the application.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 17th day of December, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING

*Cyda Kwader*  
*Paul Jensen*  
*Don Williams*  
*Tim Schram*

*Mary Redd*

Chair

ATTEST:

*Michael G. Hill*

Executive Director