

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. B-2002
of Oceans Enterprise, LLC d/b/a)
Oceans Drive Transportation,)
Omaha, seeking to amend its)
Certificate of Public Convenience) ORDER GRANTING RESTRICTION
and Necessity by the removal of) REMOVAL
restriction on number of vehicles)
and operating radius within Cass,)
Douglas, Dodge, Washington, and)
Sarpy counties.) Entered: April 27, 2021

BY THE COMMISSION:

On September 18, 2020, Oceans Enterprise, LLC d/b/a Oceans Drive Transportation ("Applicant"), Omaha, filed an application seeking to amend its Certificate of Public Convenience and Necessity by removing the restriction on number of vehicles and operating radius within Cass, Douglas, Dodge, Washington, and Sarpy counties.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on September 22, 2020. Timely protests were filed by Camelot Transportation, Inc. and Triumph Transportation, Inc. (together, "Protestants"). On February 22, 2021, Protestants filed a joint Motion for Leave to Withdraw their protests, which was granted on February 23, 2021. Application No. B-2002 was then processed pursuant to the Commission's Rule of Modified Procedure.

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

Applicant is a Nebraska Limited Liability Company with its principal office in Omaha, Nebraska. Applicant is a common carrier with authority to provide open class service between all points in Nebraska over irregular routes. Applicant's certificate is currently restricted to a maximum of ten (10) total vehicles in service and/or operation at any given point in Cass, Dodge, Washington, Douglas and Sarpy counties; service by van and SUV only; all trips originating or terminating in Cass, Dodge, Washington, Douglas and Sarpy counties must be completed within a 100-mile radius of the point of origination. The transportation of railroad train crews is not authorized, and HHS Designation is yes. The removal of the restriction on number of vehicles and operating radius within Cass, Douglas, Dodge, Washington, and

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Sarpy counties would authorize Applicant to provide open class service without limitation to the number of vehicles and operating radius in the mentioned counties. Applicant will maintain its HHS Designation and transportation of railroad train crews is only allowed should Applicant file an application for a license to do so pursuant to recent legislation.¹

Upon due consideration, the Commission finds that the application filed by Oceans Enterprise, LLC d/b/a Oceans Drive Transportation, to amend its Certificate of Public Convenience and Necessity should be approved. All restrictive language contained in Certificate B-2002 should be stricken and a new Certificate should be issued authorizing the following:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: transportation of passengers and their baggage by van in open class service between all points in Nebraska over irregular routes. RESTRICTIONS: Service by van and SUV only. HHS Designation: Yes.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-2002 be, and it is hereby, granted and that the Certificate of Public Convenience and Necessity granted to Oceans Enterprise, LLC d/b/a Oceans Drive Transportation, Omaha, be, and is hereby, amended as set forth above.

¹ See LB 461 [2020]. Prior to LB 461, railroad train crew transportation did not require specific licensure by separate application and could be a designation for any common carrier's underlying Certificate of Authority.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 27th day of April, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Swader
Mary Kadden
Tim Schram

Don Watson

Chair

ATTEST:

Michael S. Hyatt

Executive Director