

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. M-14249  
of CrossCountry Courier, Inc. )  
d/b/a CrossCountry Freight )  
Solutions, Inc., Bismarck, North )  
Dakota, seeking to acquire )  
through transfer the authority ) TRANSFER GRANTED AND  
as a common carrier in Nebraska ) CERTIFICATE M-11257 CANCELLED  
intrastate commerce granted to )  
Nebraska Transport Co., Inc., )  
Scottsbluff, in Certificate M- )  
11257 and supplements thereto. ) Entered: April 27, 2021

### BY THE COMMISSION:

By Application filed on January 13, 2019, CrossCountry Courier, Inc. d/b/a CrossCountry Freight Solutions, Inc. ("Applicant"), Bismarck, North Dakota, seeks to acquire through transfer the operating rights granted to Nebraska Transport Co., Inc., ("Nebraska Transport") Scottsbluff, in Certificate M-11257. Notice of the Application was published in The Daily Record, Omaha, on June 17, 2019. Because no protests were filed, Application No. M-14249 was 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 seeks to acquire, through sale and transfer, the authority held by Nebraska Transport Co., Inc., in Certificate No. M-11257. Nebraska Transport is a Nebraska corporation with its Nebraska principal place of business in Gering, Nebraska. Nebraska Transport was granted authority to provide household goods moving services as described in its Certificate of Public Convenience and Necessity attached hereto as Appendix A. Nebraska Transport was granted its Certificate of Authority on or around August 25, 1995.

The documents included with the application state that North American Holdings, Inc. ("NAH") acquired all outstanding shares of Nebraska Transport from Richard B. Holliday, Jr. pursuant to a Stock Purchase Agreement effective November 10, 2017. As a result of that transaction, NAH is now the sole shareholder of Nebraska Transport. Upon approval of the transaction by the Commission, Nebraska Transport will cease operations in Nebraska and the

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Certificate of Authority held by Nebraska Transport will simultaneously cancelled with the approval of this transaction. Applicant will provide transportation services as set forth in the authority held by Nebraska Transport and will operate as CrossCountry Courier, Inc. d/b/a CrossCountry Freight Solutions, Inc. Applicant's primary business office will be in Bismarck, North Dakota.

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 to properly perform the proposed 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 No. M-11257 is not dormant.
4. A certificate should be issued in Application No. M-14249 authorizing the following operations:

### CERTIFICATE AUTHORIZED

#### SERVICE AND TERRITORY AUTHORIZED:

Household goods between points in Box Butte, Morrill, Scotts Bluff, Dawes, Sioux and Sheridan counties, on the one hand, and, on the other hand, all points in Nebraska over irregular routes.

#### SUPPLEMENT NO. 5

#### SERVICE AND ROUTES OR TERRITORY AUTHORIZED:

Household goods. REGULAR ROUTES OPERATION: Between Sidney and Scottsbluff, via US-30 to Kimball, thence via NE-71 to Scottsbluff, serving all intermediate points and the off-route point of Sioux Ordinance Depot near Sidney. ALTERNATIVE ROUTES FOR OPERATING CONVENIENCE ONLY: (a) Between the junction of NE-385 and US-26 and Ogallala, via US-26; (b) Between the junction of US-30 and US-30A, and Omaha, via US-30-A.

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### SUPPLEMENT NO. 6

#### SERVICE AND ROUTE OR TERRITORY AUTHORIZED:

Household goods over regular routes between Gering and Chadron via US-26 to junction with Hwy-L-62A, thence via Hwy-L-62A to junction with US-385, thence via US-385 to Chadron, serving all intermediate points and the off-route points of Berea, Hemingford, and Marsland; between Harrison and Gordon via US-20 serving all intermediate points; between Sidney and Alliance via US-385 serving all intermediate points. Alternate Routes: Between Gering and Crawford via Hwy-71; between Omaha and Alliance via I-80 to Grand Island, thence via US-2 to Alliance. RESTRICTION: Any duplication of points or routes in the foregoing authorities shall not be construed as authorizing more than one operating right when transferring the authority or conducting operations thereunder.

### SUPPLEMENT NO. 7

#### SERVICE AND ROUTE OR TERRITORY AUTHORIZED:

Household goods.

#### REGULAR ROUTES OPERATIONS:

Route No. 1 - between Omaha and Grand Island, via US-30A and US-6 to the junction with US-275, thence on US-275 to Fremont, thence via US-30 to Grand Island; all intermediate points to be served.

Route No. 2 - From Grand Island to and from Gothenburg, via US-30; to Farnam via NE-47; thence to Holdrege via NE-23; thence south to Alma via US-183, thence US-136 to Franklin; thence to Minden via NE-10 and return to Grand Island via US-34; all intermediate points to be served; serving the off-route points of Kenesaw and Doniphan.

Route No. 3 - From Grand Island to Grand Island; serving all intermediate points and the off-route points of Comstock, Ravenna, Mason City, Greeley, and Arcadia, from Grand Island via US-281 to its junction with NE-22, thence via NE-22 to Scotia, thence via NE-11 to Burwell, thence via NE-91 to Taylor, thence via US-183 to its junction with NE-70, thence via NE-70 to Broken Bow, thence via NE-92 to Loup City, thence via NE-10 to its junction with NE-2, thence via NE-2 to Grand Island and return over the same route. RESTRICTION: Service to points in Greeley County is limited to the transportation

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of shipments weighing 10,000 pounds or more. Alternate Route No. 3: (for operating convenience only) From Grand Island to Broken Bow via NE-2 and return over the same route.

Route No. 4 - Between Holdrege and Alma, in a circuitous manner; Southwest via US-6 to Cambridge, thence via NE-47 to the junction with NE-89, thence via NE-89 to Alma and return to Holdrege via US-183, serving all intermediate points and the off-route points of Edison, Oxford, and Oxford junction.

### SERVICE AND TERRITORY AUTHORIZED:

Household goods to all points in the following counties in Nebraska: Custer, Blaine, Thomas, Hooker, Grant, Sheridan, and Logan over irregular routes. Note: Points to be served in Sheridan County only those on NE-2.

### SERVICE AND TERRITORY AUTHORIZED:

Household goods between St. Paul and Grand Island via US-281, serving all intermediate points and the off-route point of St. Libory.

Alternate Route: Between junction of US-281 and NE-58, via NE-58 to Dannebrog, then NE-11 to junction with NE-92, then NE-92 to St. Paul, serving all intermediate points and the off-route point of Farwell.

### SERVICE AND REGULAR ROUTE AUTHORIZED:

Household goods between Wolbach and Omaha, via NE-22 to junction with US-281, then US-281 to junction with NE-92, then NE-92 to Omaha. ALTERNATIVE RETURN ROUTE: Via US-6 to Lincoln, then US-34 to junction with US-281 to point of junction with regular route; serving the intermediate points of Greeley, St. Paul, and Grand Island and the off-route points of Palmer, Scotia, Elba, and Cotesfield. RESTRICTIONS: No service is to be performed between Omaha and Lincoln, between Omaha and Grand Island, or between Lincoln and Grand Island. RESTRICTION: Service to points in Greeley County is limited to the transportation of shipments weighing 10,000 pounds or more.

### SERVICE AND REGULAR ROUTE AUTHORIZED:

Household goods (1) between Ericson and Omaha via NE-70 to junction with US-281, then US-281 to junction with NE-92, then NE-92 to Omaha. ALTERNATIVE RETURN ROUTE: Via US-6 to

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Lincoln, then US-34 to junction with US-281, then return US-281 to points of junction with regular route; serving the intermediate points of St. Paul and Greeley, and the off-route points of Bartlett, and Wolbach. (2) Between Greeley and Grand Island, via US-281 to Grand Island; serving the intermediate points of St. Paul and the off-route point of Wolbach. RESTRICTION: Service to points in Greeley County is limited to the transportation of shipments weighing 10,000 pounds or more in (1) and (2) above.

### IRREGULAR ROUTE AUTHORIZED:

Between points in Howard, Greeley, and Wheeler counties and occasionally between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: Service to points in Greeley and Nance counties is limited to the transportation of shipments weighing 10,000 pounds or more.

### SERVICE AND TERRITORY AUTHORIZED:

New and used furniture between St. Paul, on the one hand, and, on the other hand, points within a 50-mile radius of St. Paul over irregular routes. RESTRICTION: Service to points in Greeley and Nance counties is limited to the transportation of shipments weighing 10,000 pounds or more.

### SERVICE AND TERRITORY AUTHORIZED:

Household goods between points within 25-mile radius of Dannebrog and between points in said radial are (except points on the south of US-30), on the one hand, and, on the other hand, points within a 130-mile radius of Dannebrog over irregular routes. RESTRICTION: Service to points in Greeley and Nance counties is limited to the transportation of shipments weighing 10,000 pounds or more.

### SERVICE AND TERRITORY AUTHORIZED:

Household goods between points within a 15-mile radius of Greeley over irregular routes. RESTRICTION: Service to points in Greeley County is limited to the transportation of shipments weighing 10,000 pounds or more.

### SERVICE AND ROUTE OR TERRITORY AUTHORIZED:

Household goods over irregular routes in the following described manner: Operations either originate or terminate within a radius of 35-miles from Grand Island. All operations

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are confined within a radius of 286 miles from Grand Island.  
RESTRICTION: Service to points in Greeley and Nance counties is limited to the transportation of shipments weighing 10,000 pounds or more.

5. The transaction should be granted.

### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. M-14249 be, and 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 CrossCountry Courier, Inc. d/b/a CrossCountry Freight Solutions, Inc., Bismarck, North Dakota, in Application No. M-14249, 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 No. M-11257 shall be cancelled simultaneously with the issue of a Certificate of Public Convenience and Necessity in Application No. M-14249.

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. §§ 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Cum. Supp. 2020) 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 FINALLY ORDERED that Applicant shall not conduct operations until a Certificate of Public Convenience and Necessity is issued.

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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

# Appendix A

## CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Application No. M-11257  
and Supplements thereto

Nebraska Transport Co., Inc.  
P.O. Box 1646  
Scottsbluff, NE 69361

AFTER DUE INVESTIGATION, it is hereby certified that the above-named carrier has complied with all applicable provisions of Sections 75-301 to 75-322.04, R.R.S. 1943, as amended, 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:

Household goods between points in Box Butte, Morrill, Scotts Bluff, Dawes, Sioux and Sheridan counties, on the one hand, and, on the other hand, all points in Nebraska over irregular routes.

### SUPPLEMENT NO. 5

#### SERVICE AND ROUTE OR TERRITORY AUTHORIZED:

Household goods. REGULAR ROUTE OPERATION: Between Sidney and Scottsbluff, via US-30 to Kimball, thence via NE-71 to Scottsbluff, serving all intermediate points and the off-route point of Sioux Ordinance Depot near Sidney. ALTERNATE ROUTES FOR OPERATING CONVENIENCE ONLY: (a) Between the junction of NE-385 and US-26 and Ogallala, via US-26; (b) Between the junction of US-30 and US-30A, and Omaha, via US-30-A.

### SUPPLEMENT NO. 6

#### SERVICE AND ROUTE OR TERRITORY AUTHORIZED:

Household goods over regular routes between Gering and Chadron via US-26 to junction with Hwy-L-62A, thence via Hwy-L-62A to junction with US-385, thence via US-385 to Chadron, serving all intermediate points and the off-route points of Berea, Hemingford, and Marsland; between Harrison and Gordon via US-20 serving all intermediate points; between Sidney and Alliance via US-385 serving all intermediate points. Alternate Routes: Between Gering and Crawford via Hwy-71; between Omaha and Alliance via I-80 to Grand Island, thence via US-2 to Alliance. RESTRICTION: Any duplication of

# Appendix A

CERTIFICATE M-11257

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points or routes in the foregoing authorities shall not be construed as authorizing more than one operating right when transferring the authority or conducting operations thereunder.

## SUPPLEMENT NO. 7

SERVICE AND ROUTE OR TERRITORY AUTHORIZED:  
Household goods.

## REGULAR ROUTE OPERATIONS:

Route No. 1-- Between Omaha and Grand Island, via US-30A and US-6 to the junction with US-275, thence on US-275 to Fremont, thence via US-30 to Grand Island; all intermediate points to be served.

Route No. 2 -- From Grand Island to and from Gothenburg, via US-30; to Farnam via NE-47; thence to Holdrege via NE-23; thence south to Alma via US-183, thence US-136 to Franklin; thence to Minden via NE-10 and return to Grand Island via US-34; all intermediate points to be served; serving the off-route points of Kenesaw and Doniphan.

Route No. 3 -- From Grand Island to Grand Island; serving all intermediate points and the off-route points of Comstock, Ravenna, Mason City, Greeley, and Arcadia, from Grand Island via US-281 to its junction with NE-22, thence via NE-22 to Scotia, thence via NE-11 to Burwell, thence via NE-91 to Taylor, thence via US-183 to its junction with NE-70, thence via NE-70 to Broken Bow, thence via NE-92 to Loup City, thence via NE-10 to its junction with NE-2, thence via NE-2 to Grand Island and return over the same route. RESTRICTION: Service to points in Greeley County is limited to the transportation of shipments weighing 10,000 pounds or more. Alternate Route No. 3: (for operating convenience only) From Grand Island to Broken Bow via NE-2 and return over the same route.

Route No. 4 -- Between Holdrege and Alma, in a circuitous manner; Southwest via US-6 to Cambridge, thence via NE-47 to the junction with NE-89, thence via NE-89 to Alma and return to Holdrege via US-183, serving all intermediate points and the off-route points of Edison, Oxford, and Oxford junction.

## SERVICE AND TERRITORY AUTHORIZED:

Household goods to all points in the following counties in Nebraska: Custer, Blaine, Thomas, Hooker, Grant, Sheridan, and Logan over irregular routes. Note: Points to be served in Sheridan County only those on NE-2.

## SERVICE AND REGULAR ROUTE AUTHORIZED:

Household goods between St. Paul and Grand Island via US-281, serving all intermediate points and the off-route point of St. Libory.

# Appendix A

CERTIFICATE M-11257

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Alternate Route: Between junction of US-281 and NE-58, via NE-58 to Dannebrog, then NE-11 to junction with NE-92, then NE-92 to St. Paul, serving all intermediate points and the off-route point of Farwell.

## SERVICE AND REGULAR ROUTE AUTHORIZED:

Household goods between Wolbach and Omaha, via NE-22 to junction with US-281, then US-281 to junction with NE-92, then NE-92 to Omaha. ALTERNATE RETURN ROUTE: Via US-6 to Lincoln, then US-34 to junction with US-281 to point of junction with regular route; serving the intermediate points of Greeley, St. Paul, and Grand Island and the off-route points of Palmer, Scotia, Elba, and Cotesfield. RESTRICTION: No service is to be performed between Omaha and Lincoln, between Omaha and Grand Island, or between Lincoln and Grand Island. RESTRICTION: Service to points in Greeley County is limited to the transportation of shipments weighing 10,000 pounds or more.

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## SERVICE AND TERRITORY AUTHORIZED:

New and used furniture between St. Paul, on the one hand, and, on the other hand, points within a 50-mile radius of St. Paul over irregular routes. RESTRICTION: Service to points in Greeley and Nance counties is limited to the transportation of shipments weighing 10,000 pounds or more.

## SERVICE AND TERRITORY AUTHORIZED:

Household goods between points within a 25-mile radius of Dannebrog and between points in said radial area (except points on and south of US-30), on the one hand, and, on the other hand, points within a 130-mile radius of Dannebrog over irregular routes. RESTRICTION: Service to points in Greeley and Nance counties is limited to the transportation of shipments weighing 10,000 pounds or more.

# Appendix A

CERTIFICATE M-11257

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**SERVICE AND TERRITORY AUTHORIZED:**

Household goods between points within a 15-mile radius of Greeley over irregular routes. RESTRICTION: Service to points in Greeley County is limited to the transportation of shipments weighing 10,000 pounds or more.

**SERVICE AND ROUTE OR TERRITORY AUTHORIZED:**

Household goods over irregular routes in the following described manner: Operations either originate or terminate within a radius of 35-miles from Grand Island. All operations are confined within a radius of 286 miles from Grand Island. RESTRICTION: Service to points in Greeley and Nance counties is limited to the transportation of shipments weighing 10,000 pounds or more.

ISSUED at Lincoln, Nebraska, this 25th day of August, 1995, pursuant to Order of August 21, 1995.

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//s//Daniel G. Urwiller

Daniel G. Urwiller  
Chairman