

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Special Day) Application No. B-1807
Limousine, LLC, Yankton, South)
Dakota, seeking approval to)
change an existing operation) ORDER GRANTING MEMBERSHIP
by transfer of membership) INTEREST TRANSFER AND
interest and extend authority) EXTENSION OF AUTHORITY AS
to provide transportation) AMENDED
services between all points in)
Nebraska over irregular)
routes.) Entered: September 14, 2021

BY THE COMMISSION:

On April 7, 2021, Special Day Limousine, LLC ("Applicant"), Yankton, South Dakota, filed an application seeking approval to change an existing operation by transfer of membership interest and to extend its authority to provide transportation services between all points in Nebraska over irregular routes. HHS designation is no.

Notice of the application was published in The Daily Record, Omaha, on June 16, 2021. A timely protest filed by VIP Limousine, LLC was granted on July 22, 2021. On July 26, 2021, Applicant filed a request to amend its application. On July 29, 2021, the Hearing Officer granted Applicant's request to amend its application by restricting its proposed territory to exclude Douglas, Sarpy, Dodge, Washington, Saunders, Cass, and Lancaster counties. On July 26, 2021, VIP Limousine, LLC filed a request to withdraw its protest, which was granted on July 29, 2021. Because Applicant's application amendment restricted its proposed services in comparison to its original authority request, no additional public notice of the application was required. Application B-1807 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 South Dakota Limited Liability Company with its principal place of business in Yankton, South Dakota. Applicant is seeking an Order from the Commission which would grant both a change in existing operation by transfer of membership interests as well as extend its service territory.

Applicant proposes to change its existing membership interests as follows: Current ownership, John DeJean (50%) and

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. B-1807

Page 2

Kirsten DeJean (50%); Proposed ownership, Matthew J. Hirsch (50%) and Jess J. Graves (50%). No other aspect of the organization will change.

Applicant further seeks to expand its service territory to add several counties to its current operations. This expansion will give Applicant the ability to provide services in every Nebraska county except Douglas, Sarpy, Dodge, Washington, Saunders, Cass, and Lancaster counties. Applicant will provide its services utilizing three vehicles.

After due consideration of the evidence and being fully advised in the premises, the Commission is of the opinion and finds that the proposed change in its existing operation by transfer of membership should be granted. Regarding Applicant's service territory extension request, the Commission finds that:

1. Applicant is fit, willing, and able properly to perform the proposed service, and to conform to the provisions of NEB. REV. STAT. §§ 75-301 to 75-322 (Cum. Supp. 2020) and the requirements, rules and regulations of the Commission thereunder.
2. Upon compliance 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, a Certificate of Public Convenience and Necessity should be issued as proposed:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Transportation of passengers and their baggage by luxury or stretch limousines between all points in Nebraska over irregular routes.

RESTRICTIONS: Transportation of passengers within and between Douglas, Sarpy, Dodge, Washington, Saunders, Cass, and Lancaster counties is not authorized. HHS Designation: No.

3. The application for authority should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-1807 be, and its is hereby, granted;

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. B-1807

Page 3

and that Special Day Limousine, LLC, Yankton, South Dakota, is hereby authorized to change its existing membership interests as follows: Current ownership, John DeJean (50%) and Kirsten DeJean (50%); Approved ownership, Matthew J. Hirsch (50%) and Jess J. Graves (50%).

IT IS FURTHER ORDERED that upon compliance with the terms and conditions set forth in this Order, an amended Certificate of Public Convenience and Necessity shall be issued to Special Day Limousine, LLC, Yankton, South Dakota, authorizing the operations set forth in the foregoing findings.





IT IS FURTHER ORDERED that Applicant shall not be issued the amended Certificate 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. sections 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 the operation authorized herein shall be subject to the terms, conditions, and limitations that have been, or may hereafter be prescribed by the Commission.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 14th day of September, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Deputy Director