

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. B-2029
Application of CareOne)
Transport Systems, LLC d/b/a)
CareOne, Omaha, seeking)
authority as a common carrier)
in Nebraska intrastate)
commerce in the transportation)
of passengers by van and sedan) ORDER VACATING EARLIER
in open class service between) FINDINGS AND GRANTING
points in Douglas, Dodge,) APPLICATION AS AMENDED
Sarpy, Washington, Lancaster,)
Lincoln, Adams, Otoe, Hall,)
and Cass counties, and between)
said counties, over irregular)
routes. RESTRICTIONS: HHS)
Designation: Yes.) Entered: September 28, 2021

BY THE COMMISSION:

On March 30, 2021, CareOne Transport Systems, LLC d/b/a CareOne ("Applicant"), Omaha, filed an application for authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van and sedan in open class service between points in Douglas, Dodge, Sarpy, Washington, Lancaster, Lincoln, Adams, Otoe, Hall, and Cass counties, and between said counties, over irregular routes. HHS Designation was Yes. Notice of the application was published in The Daily Record, Omaha, Nebraska, on April 2, 2021.

On August 10, 2021, the Commission entered an Order granting the application as filed on March 30, 2021 and stated that no protests had been filed. A review of the file after the entry of the Order showed that a timely protest had been filed by Camelot Transportation, Inc. and Triumph Transportation, Inc. ("Camelot" and "Triumph", together, "Protestants"). Additionally, Applicant filed a request to amend its application by removing Hall county from its proposed service territory. The Hearing Officer granted the request on May 17, 2021. On June 10, 2021, Protestants filed a joint request to withdrawal their protests, which was granted on June 14, 2021. The application was then processed pursuant to the Commission's Rule of Modified Procedure.

Based on the above, the Commission therefore vacates the Order entered in the above-captioned application on August 10, 2021 and enter our revised opinions and findings granting Applicant a

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Certificate of Public Convenience and Necessity to provide transportation of passengers as a common carrier according to its amended application.

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 business address in Omaha, Nebraska. Applicant is part of a larger organization that provides home health and developmental disability care in the Omaha metro and surrounding areas. Applicant is adding transportation to its services and proposes to provide medical and non-medical transportation services by van and sedan in open class service within and between Douglas, Dodge, Sarpy, Washington, Lancaster, Lincoln, Adams, Otoe, and Cass counties. Transportation will also be provided as part of services with the Nebraska Department of Health and Human Services. Applicant plans to operate one vehicle at the outset of its operations.

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 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. The proposed intrastate service is or will be required by the following extent:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Transportation of passengers by van and sedan in open class service between points in Douglas, Dodge, Sarpy, Washington, Lancaster, Lincoln, Adams, Otoe, and Cass counties, and between said counties, over irregular routes.
HHS Designation: Yes.

3. The application for authority should be granted.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-2029 be, and it is hereby, granted as amended; 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 CareOne Transport Systems, LLC d/b/a CareOne, Omaha, Nebraska in Application B-2029, authorizing the operations set forth in the foregoing findings.

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) 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 FURTHER ORDERED that Applicant shall not conduct operations until a Certificate of Public Convenience and Necessity is issued.

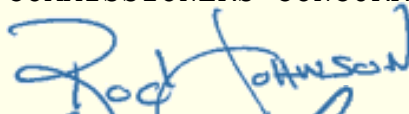



IT IS FURTHER ORDERED that the operations authorized herein shall be subject to the terms, conditions, and limitations which have been, or may hereafter be prescribed by the Commission.

IT IS FINALLY ORDERED that the August 10, 2021 Order in this docket is vacated and replaced by the findings herein.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 28th day of September, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Deputy Director