

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the ) Application No. B-1351  
Application of Midwest Special )  
Services, Inc., Curtis, )  
seeking approval of a change )  
in ownership through sale of ) ORDER GRANTING ACQUISITION OF  
stock, and change of existing ) CONTROL THROUGH STOCK TRANSFER  
authority, by consolidation of ) AND CONSOLIDATION OF  
the authority granted to ) AUTHORITIES B-1351 AND B-1691  
Midwest Transportation )  
Specialists, Authority B-1691. )  
)  
) Entered: June 28, 2022

### BY THE COMMISSION:

By application filed May 25, 2021, Midwest Special Services, Inc. ("Applicant"), Curtis, Nebraska, seeks approval for a change in ownership through sale of stock, and a change of existing authority through the consolidation of its authority with that of Midwest Transportation Specialists, Authority No. B-1691.

Notice of the Application was published in The Daily Record, Omaha, Nebraska, on July 9, 2021. No protests were filed; therefore, the application was processed pursuant to the Commission's Rule of Modified Procedure.

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

Midwest Special Services, Inc., is a Nebraska Corporation, with its principal place of business in Curtis, Nebraska. The business headquarters will remain in Curtis, Nebraska if the change in stock ownership is approved by the Commission. Midwest Special Services provides transportation of passengers and their baggage in vans or sport utility vehicles rated at fifteen passengers or less who have arranged for service at least six hours in advance, except for passengers to and from Eppley Airfield who must arrange for service at least twelve hours in advance. The transportation of railroad train crews and their baggage is not authorized.

#### Stock Transfer

In its Application, Applicant proposes to change its existing stock ownership as follows: Current stock ownership - Lannie L. Roblee (100%); Proposed stock ownership - Mark T. Roblee (50%) and

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Kristy L. Roblee (50%). The change in ownership will not have any effect on Applicant's provision of services.

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 change of stock ownership will be consistent with the public interest and will not unduly restrict competition; and
3. An order should be entered in Application B-1351 authorizing Midwest Special Services, Inc., Curtis, to change an existing operation by the transfer of stock ownership.

### Consolidation of Authorities

Additionally, Applicant sought consolidation of the authorities held by Midwest Special Services, Inc., in Certificate No. B-1351 and Midwest Transportation Specialists in Certificate No. B-1691. Midwest Transportation Specialists was a Nebraska corporation with its principal business address in Curtis, Nebraska. Midwest Transportation Specialists was granted common carrier authority to provide transportation to prisoners between points in Nebraska over irregular routes. Midwest Transportation Specialists was also granted authority to transport medical patients in need of supervised assistance between points in Nebraska over irregular routes and to transport passengers and their baggage between points in Nebraska over irregular routes under continuing contract(s) with the Nebraska Department of Health and Human Services. Transportation originating in Douglas, Sarpy, Lancaster, Jefferson, Gage, Saline, Thayer, Johnson, Pawnee, and Richardson counties was not authorized. Midwest Transportation Specialists were prohibited from providing local taxi service. The transportation of railroad train crews and their baggage was not authorized. Midwest Transportation Specialists was granted its Certificate of Authority on June 7, 2007.

On January 3, 2011, Midwest Transportation Specialists formally dissolved its corporation. Despite the formal dissolution and merger into Midwest Special Services, Inc., its operations continued under B-1691. No application to approve such transfer or

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merger was filed with the Commission. Albeit, without first receiving Commission approval, Applicant has provided service under B-1691 and B-1351 jointly for over a decade without any negative effect to other carriers that service the same territory and has complied with all Commission requirements during that time.

The proposed consolidation would merge the two authorities and cancel the Certificate of Authority for B-1691. The consolidation of the two companies does not add any geographical territory or operating rights that were not already in place for either carrier. Applicant will not provide transportation to railroad train crews and will be authorized to provide transportation services pursuant to contracts with the Nebraska Department of Health and Human Services where indicated.

Based on the above, the Commission is of the opinion and finds:

1. Applicant is fit, willing, and able properly to perform the proposed service, and to conform with the provisions of Neb. Rev. Stat. §§ 75-301 to 75-322 and the requirements and rules and regulations of the Commission thereunder;
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 Docket No. B-1691 is not dormant; and
4. A new certificate should be issued in Application No. B-1351 authorizing the following operations:

### CERTIFICATE AUTHORIZED

#### SERVICE AND TERRITORY AUTHORIZED:

COMMON: Transportation of prisoners between points in Nebraska over irregular routes.

#### SUPPLEMENT 1

Transportation of medical patients in need of supervised assistance between points in Nebraska over irregular routes; Transportation of passengers and their baggage between points in Nebraska over irregular routes under continuing contract(s) with Nebraska Department of Health and Human Services. RESTRICTIONS: Transportation originating in Douglas, Gage, Jefferson, Johnson,

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Lancaster, Pawnee, Richardson, Saline, Sarpy, and Thayer counties is not authorized. Transportation of local taxi service is not authorized. HHS Designation: Yes.

### SUPPLEMENT 2

Transportation of passengers and their baggage in vans or SUV rated at fifteen passengers or less who have arranged for service at least six hours in advance, except for passengers to and from Eppley Airfield who shall arrange for service at least twelve hours in advance between points in Nebraska over irregular routes. HHS Designation: Yes.

The Commission also finds that the Certificate held by Midwest Transportation Specialists in Certificate No. B-1691, Curtis, should be simultaneously cancelled.

### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-1351 be, and it is hereby, granted; and that Midwest Special Services, Inc., Curtis, is hereby authorized to change its existing stock ownership interest as follows: Current stock ownership - Lannie L. Roblee (100%); Proposed stock ownership - Mark T. Roblee (50%) and Kristy L. Roblee (50%).

IT IS FURTHER ORDERED that Applicant's request to consolidate the authorities held by Midwest Special Services, Inc., in Certificate No. B-1351, and Midwest Transportation Specialists in Certificate No. B-1691 be, and is hereby, granted as provided herein.

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 Certificate of Public Convenience and Necessity held by Midwest Transportation Specialists in Certificate No. B-1691 be, and is hereby, cancelled.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 28<sup>th</sup> day of June, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Cystal Broadus*  
*Mary Kidden*  
*Tim Schram*

*Don Watson*  
Chair

ATTEST:

*Thomas W. Golden*  
Executive Director