

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of I-80 ) APPLICATION NO. B-1192  
Eppley Express, Kearney, Nebraska, which ) Supplement No. 4  
seeks to extend the authority as a common )  
carrier in Nebraska intrastate commerce )  
granted in Certificate B-1192 and supple- )  
ments thereto by deleting from Supplement ) GRANTED  
2 the words, "in vehicles having a manu- )  
facturer's rated capacity of 7 to 15 )  
passengers" which occur in both the regular )  
and irregular routes portion of Supplement )  
2. ) ENTERED: March 19, 1991

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed February 6, 1991, I-80 Eppley Express, Kearney, Nebraska, hereinafter referred to as Applicant, seeks a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle as follows:

AUTHORITY SOUGHT

SUPPLEMENT NO. 2

Transportation of passengers and their baggage, and packages or articles with a maximum weight of 80 pounds over regular routes via the Interstate Highway System between Eppley Airfield near Omaha and Kearney serving intermediate points at Kearney, Grand Island, Hastings, York, Lincoln and Omaha interchanges. Restriction: No railroad train crews may be carried plus no passengers, packages or articles may be carried for revenue between points within the city limits of Omaha. Irregular Route: Transportation of passengers and their baggage between points in Nebraska over irregular routes. Restriction: No railroad train crews may be carried plus no passengers, packages or articles may be carried for revenue between points within the city limits of Omaha.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 7, 1991, pursuant to the rules of the Commission.

Since no protest was filed, Application No. B-1192, Supplement No. 2 was processed pursuant to Rule 018.03 of the rules of the Commission.

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 extended service proposed and to conform to the provisions of Sections 75-301 to 75-322.04, R.R.S. 1943, as amended, and the requirements, rules and regulations of the Commission thereunder.

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2. The proposed extension of Applicant's present intrastate service is or will be required by the present or future public convenience and necessity to the following extent:

**CERTIFICATE AUTHORIZED**

**SUPPLEMENT NO. 2**

**SERVICE AND TERRITORY AUTHORIZED:**

Transportation of passengers and their baggage, and packages or articles with a maximum weight of 80 pounds over regular routes via the Interstate Highway System between Eppley Airfield near Omaha and Kearney serving intermediate points at Kearney, Grand Island, Hastings, York, Lincoln and Omaha interchanges. Restrictions: No railroad train crews may be carried plus no passengers, packages or articles may be carried for revenue between points within the city limits of Omaha. Irregular route: Transportation of passengers and their baggage between points in Nebraska over irregular routes. Restriction: No railroad train crews may be carried plus no passengers, packages or articles may be carried for revenue between points within the city limits of Omaha.

3. The application for extension should be granted.

**O R D E R**

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1192, Supplement No. 4 be, and it 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 I-80 Eppley Express in Application No. B-1192, Supplement No. 4, authorizing the extended operations set forth in Paragraph No. 2 of 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 Sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates), R.R.S. 1943, as amended, 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 render reasonably continuous and adequate service to the public pursuant to the extended authority authorized.

IT IS FURTHER ORDERED that the certificate of public convenience and necessity authorized shall be subject to the terms, conditions, and limitations which have been, or may hereafter be, prescribed by the Commission.

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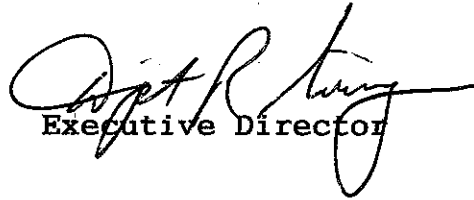
MADE AND ENTERED at Lincoln, Nebraska this 19th day of March, 1991.

NEBRASKA PUBLIC SERVICE COMMISSION



Chairman

ATTEST:



Executive Director

COMMISSIONERS CONCURRING:

//s//Frank E. Landis, Jr.

//s//James F. Munnelly

//s//Eric Rasmussen

//s//Duane D. Gay

//s//Daniel G. Urwiller

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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