

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of ) APPLICATION NO. B-1192  
I-80 Eppley Express, Kearney, ) SUPPLEMENT 5  
Nebraska, seeking to extend the )  
authority as a common carrier in )  
Nebraska intrastate commerce in ) GRANTED  
the transportation of passengers )  
and their baggage by trolley, bus, )  
and passenger vans between points ) ENTERED: JUNE 16, 1998  
in Kearney over regular routes. )

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on March 26, 1998, I-80 Eppley Express, Kearney, Nebraska, hereinafter referred to as applicant, seeks to extend the present authority in Certificate of Public Convenience and Necessity issued in Application B-1192 as follows:

AUTHORITY SOUGHT

SUPPLEMENT NO. 5

Transportation of passengers and their baggage by trolley, bus, and passenger vans between points in Kearney over regular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on March 30, 1998, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on April 16, 1998, by Kearney Cab Company, and on April 23, 1998, by Prince of the Road. The protests were subsequently withdrawn on April 30, 1998, and on May 22, 1998. Application B-1192, Supplement No. 5 was then processed pursuant to Rule 018.03 of the rules of procedure 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 and to conform to the provisions of Neb. Rev. Stat., Sections 75-301 to 75-322.04, (Reissue 1996), and the requirements, rules and regulations of the Commission thereunder.
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:

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CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers and their baggage by trolley, bus, and passenger vans between points in Kearney over regular routes.

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 5, 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, Kearney, Nebraska, in Application B-1192, Supplement 5, authorizing the 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 Neb. Rev. Stat., Sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates), (Reissue 1996), 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 the operations until a Certificate of Public Convenience and Necessity is issued.

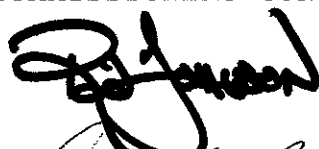

IT IS FURTHER ORDERED that applicant shall render reasonably continuous and adequate service to the public pursuant to the authority authorized.

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.


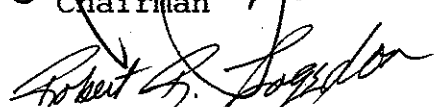
MADE AND ENTERED at Lincoln, Nebraska, this 16th day of June, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
  
 //s//Lowell C. Johnson  
 //s//Frank E. Landis

ATTEST:

  
 Chairman  
  
 Executive Director