

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of ) APPLICATION NO. B-1262  
O'Rourke & O'Rourke Buggy Rentals, Inc., ) SUPPLEMENT 3  
Kearney, seeking to extend the authority as )  
a common carrier in Nebraska intrastate ) GRANTED AS AMENDED  
commerce in the transportation of )  
passengers by limousine service between )  
points in Nebraska over irregular )  
routes. RESTRICTION: The transportation ) ENTERED: May 1, 2001  
of railroad train crews and their )  
baggage is not authorized. )  
BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on August 24, 1999, O'Rourke & O'Rourke Buggy Rentals, Inc., Kearney, Nebraska, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Passengers by limousine service between points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on August 25, 1999, pursuant to the rules of the Commission.

Timely protests to the granting of this application were filed on August 27, 1999, by Accent Limousine & Old Market Limousine through their attorney, Marshall Becker; on August 30, 1999, by Prince of the Road, through its attorney, John Boehm; and on September 8, 1999, by Yellow Cab & Limo, Inc. However, with the filings of restrictive amendments to the original application on July 24, 2000; on September 19, 2000; on April 9, 2001, Accent Limousine withdrew its protest on July 24, 2000; R&F Hobbies, Inc., dba Prince of the Road withdrew its protest on September 26, 2000; on April 9, 2001, Yellow Cab & Limo, Inc., withdrew its protest, and on April 9, 2001, Old Market Limousine withdrew its protest. Application No. B-1262, Supplement 3, was then processed pursuant to Rule 018.03 of the rules of procedures of the Commission.

After due consideration of the evidence and being fully advised in the premises, the Commission is of the opinion and finds:

APPLICATION NO. B-1262, SUPPLEMENT 3

PAGE TWO

1. Applicant is fit, willing, and able properly to perform the service proposed 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 intrastate service is or will be required by the present or future public convenience and necessity to the following extent:

CERTIFICATE AUTHORIZED

SUPPLEMENT NO. 3

SERVICE AND TERRITORY AUTHORIZED:

Passengers by luxury limousine service between points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. The transportation of passengers in vans is not authorized. Government financed transportation of clients of the Nebraska Department of Health & Human Services and/or private contractors of the Nebraska Department of Health and Human Services, such as, but not limited to FHC Options, Partners, and Curtis & Associates, and/or of persons in the custody of the Nebraska Department of Corrections in their capacity as such clients and/or persons in custody is not authorized. Transportation originating in Douglas County is not authorized.

3. The application for extension should be granted as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1262, Supplement 3, 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 O'Rourke & O'Rourke Buggy Rentals, Inc., Kearney, Nebraska, in Application No. B-1262, Supplement 3, 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., 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.

APPLICATION NO. B-1262, SUPPLEMENT 3

PAGE THREE

IT IS FURTHER ORDERED that applicant shall not conduct the operations until a Certificate of Public Convenience and Necessity is issued.

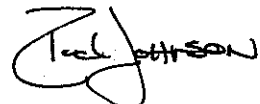
IT IS FURTHER ORDERED that applicant shall render reasonably continuous and adequate service to the public pursuant to the authority authorized.

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 1st day of May, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

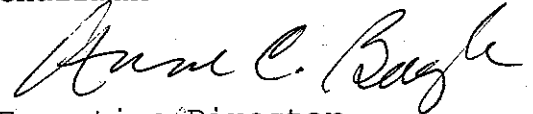
COMMISSIONERS CONCURRING:



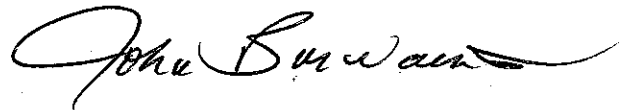
//s//Anne C. Boyle

ATTEST:

Chairman



Executive Director



# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

---