

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Husker) APPLICATION NO. B-1273
Cabs, Inc., Lincoln, Nebraska, which seeks) Supplement No. 2
to extend the authority as a common carrier)
in Nebraska intrastate commerce granted in)
Certificate B-1273 in the transportation of) GRANTED AS AMENDED
film and associated commodities between)
points in Lancaster County on the one hand,) and,
and, on the other hand, points in Nebraska)
over irregular routes.) ENTERED: April 23, 1991

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed November 5, 1990, Husker Cabs, Inc., Lincoln, Nebraska, hereinafter referred to as Applicant, seeks to extend its present authority in certificate of public convenience and necessity issued in Application No. B-1273 as follows:

AUTHORITY SOUGHT

SUPPLEMENT NO. 2

SERVICE AND TERRITORY AUTHORIZED:

Film and associated commodities between points in Lancaster County on the one hand, and, on the other hand, points in Nebraska over irregular routes.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on November 6, 1990, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on November 13, 1990, by Kem-Co., Inc., through its attorney, Lavern R. Holdeman. However, with the filing of a restrictive amendment to the original application on February 8, 1991, protestant withdrew its protest on February 11, 1991. Application No. B-1273, Supplement No. 2 was then 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.
2. The proposed 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:

Motion picture and sound reproducing films, recording, reproducing and amplifying devices; supplies and accessories for the operation of motion picture theaters or places of exhibition, including the transportation of tickets, advertising matter, displays, and exhibits such as are found in lobbies of motion-picture theaters; and furnishings and supplies necessary in the maintenance and operation of the theaters between points in Lancaster County on the one hand, and, on the other hand, points in Nebraska over irregular routes.

3. The application should be granted as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1273, Supplement No. 2 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 Husker Cabs, Incorporated, Lincoln, Nebraska in Application No. B-1273, Supplement No. 2 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 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 not conduct the extended 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.

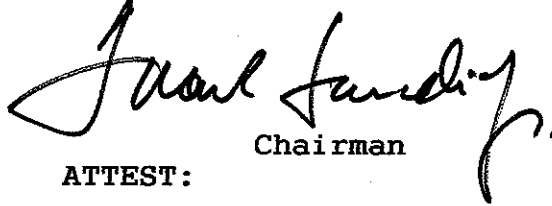
IT IS FURTHER ORDERED that the certificate of public convenience and necessity authorized shall be subject to the terms, conditions, and limitations which have been, or may hereafter be, prescribed by the Commission.

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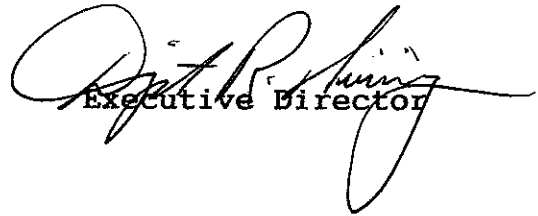
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MADE AND ENTERED at Lincoln, Nebraska this 23rd day of April,
1991.

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

COMMISSIONERS CONCURRING:

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

//s//James F. Munnelly

//s//Eric Rasmussen

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