

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Nebraska) APPLICATION B-1296
City Trolley Service Corporation, Nebraska) Supplement No. 1
City, Nebraska, which seeks to extend the)
authority as a common carrier in Nebraska)
intrastate commerce granted in Certificate)
B-1296 in the transportation of passengers in) GRANTED AS AMENDED
Otoe, Cass, Sarpy, Douglas, Lancaster and)
Nemaha counties on the one hand, and, on the)
other hand, points in Nebraska over irregular) ENTERED: July 30, 1991
routes.)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed March 1, 1991, Nebraska City Trolley Service Corporation, Nebraska City, Nebraska, hereinafter referred to as Applicant, seeks to extend its present authority in Certificate of Public Convenience and Necessity issued in Application B-1296, Supplement 1 as follows:

AUTHORITY SOUGHT

SUPPLEMENT NO. 1

SERVICE AND TERRITORY AUTHORIZED:

Passengers in rubber tired trolley cars, in charter and special party operations between points in Otoe, Cass, Sarpy, Douglas, Lancaster and Nemaha counties 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 March 6, 1991, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on March 28, 1991, by Margaret Dunn Hodge dba Atypical Transportation Company through its attorney John E. North, Jr. However, with the filing of a restrictive amendment to the original application on April 30, 1991, protestant withdrew its protest on April 30, 1991. Application B-1296, Supplement No. 1 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 extension to 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

SERVICE AND TERRITORY AUTHORIZED:

Passengers in rubber tired trolley cars in charter service originating and terminating in Nebraska City, whereby visitors, shoppers, or residents of Nebraska City and surrounding counties are transported from Nebraska City to a specified location and returned to Nebraska City.

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 B-1296, Supplement No. 1 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 Nebraska City Trolley Service Corporation, Nebraska City, Nebraska in Application B-1296, Supplement No. 1 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 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 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.

MADE AND ENTERED at Lincoln, Nebraska this 30th day of July, 1991.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Daniel H. Giville
Duane D. Gay

//s//Frank E. Landis, Jr.
 //s//James F. Munnelly
 //s//Eric Rasmussen

ATTEST:

Frank E. Landis, Jr.
 Chairman

Eric Rasmussen
 Executive Director