

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION B-1301
Terry E. Jones, Brownville, Nebraska,)
who seeks authority as a common carrier)
in Nebraska intrastate commerce in the)
transportation of passengers and their)
baggage by limousine between points in) GRANTED AS AMENDED
Nemaha County, and between points in)
said county on the one hand, and, on)
the other hand, points in Nebraska over)
irregular routes.) ENTERED: July 9, 1991

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on March 23, 1991, Terry E. Jones, Brownville, 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

Transportation of passengers and their baggage by limousine between points in Nemaha County, and between points in said county on the one hand, and, on the other hand, points in Nebraska over irregular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on March 27, 1991, pursuant to the rules of the Commission.

Timely protests to the granting of this application were filed on April 4, 1991, by Brown's Crew Car of Wyoming, dba Armadillo Express, through its attorney, Bradford E. Kistler and by Sebastian Lombardo, dba Falls City Cab, through his attorney, Douglas E. Merz. However, with the filing of restrictive amendments to the original application on April 5, 1991; April 8, 1991; April 9, 1991; May 17, 1991, and on June 5, 1991, protestant withdrew their protests on May 24, 1991 and June 5, 1991. Application B-1301, was then processed pursuant to Rule 018.03 of the Rules and Regulations of the Nebraska Public Service 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 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:

Transportation of passengers and their baggage by limousine between points in Nemaha County, and between points in said county on the one hand, and, on the other hand, points in Nebraska except Richardson County, over irregular routes.

RESTRICTION: Restricted against the transportation of railroad train crews, their baggage and train list documents.

3. The application should be granted as amended.

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1301 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 Terry E. Jones, Brownville, Nebraska in Application B-1301 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 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 9th day of July, 1991.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

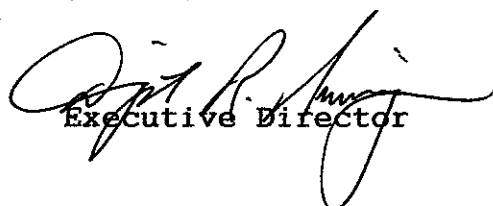
//s//Frank E. Landis, Jr.

//s//James F. Munnely

//s//Eric Rasmussen


Chairman

ATTEST:


Executive Director