

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of K & S) APPLICATION B-1315
Expressway, Inc., Atkinson, which seeks to)
acquire, through transfer, the authority as)
a common carrier granted to Kenneth Thurlow) TEMPORARY AUTHORITY
and Sherry Thurlow in Certificate B-1311.) GRANTED
Applicant seeks to extend the authority by)
seeking special authorization from the)
Commission to "pull a two wheel trailer to)
carry overflow baggage of passengers and)
express.") ENTERED: August 27, 1991

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed August 20, 1991, K & S Expressway, Inc., Atkinson, Nebraska, hereinafter referred to as Applicant, seeks approval of the acquisition of the operating rights and authority in Application B-1311, Kenneth Thurlow and Sherry Thurlow whose Certificate of Public Convenience and Necessity authorizes the transportation of:

SERVICE AND TERRITORY AUTHORIZED:

Passengers and their baggage, and packages, periodicals, and newspapers moving in express service limited by size and weight in 10 passenger vans or minibus vehicles in charter and special party operations between points in Nebraska except Richardson County over irregular routes, and over regular routes between Norfolk, Chadron, and Kimball serving all intermediate points. Restriction: Restricted against the transportation of railroad train crews.

In its application, Applicant further requested that this Commission grant temporary approval to the Applicant of a lease of the motor carrier properties and the certificate sought to be acquired by it. Notice of such request for temporary authority was published in The Daily Record, Omaha, Nebraska, on August 21, 1991, pursuant to the rules and regulations of this Commission.

It appears that failure to grant temporary approval may result in destruction of or injury to such motor carrier property and the certificate sought to be acquired, or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

Such temporary approval should be granted for ninety (90) days from the effective date of this Order pursuant to §75-319, R.R.S. 1943, as amended.

Application No. B-1315

Page Two

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the application for approval of a lease of the motor carrier properties and the certificate sought to be acquired by K & S Expressway, Inc., Atkinson, Nebraska be, and it is hereby, granted to the Applicant for ninety (90) days from the effective date of this Order.

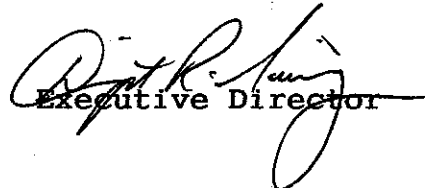
IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of §75-101 to §75-801, R.R.S. 1943, as amended, and to the rules, regulations and requirements of the Commission; such grant of temporary authority and the operations thereunder shall not be admissible in evidence to establish or prove present or future public convenience and necessity; and no renewal or extension of the period of ninety (90) days shall be granted.

MADE AND ENTERED at Lincoln, Nebraska this 27th day of August, 1991.

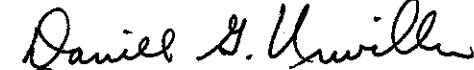
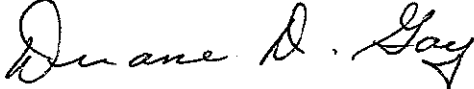
NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

COMMISSIONERS CONCURRING:

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

//s//James F. Munnelly