

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Ronald D. Allgood, dba Tree City Cab Company, Nebraska City, Nebraska, who seeks to acquire, through purchase, the authority as a common carrier in Nebraska intrastate commerce granted to James L. Petro dba Tree City Cab Company in Certificate B-1295. ) APPLICATION B-1320  
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)  
) GRANTED  
)  
)  
) ENTERED: January 29, 1992

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed October 1, 1991, Ronald D. Allgood dba, Tree City Cab Company, Nebraska City, Nebraska, seeks to acquire, through purchase, the operating rights granted to James L. Petro dba Tree City Cab Company in Certificate of Public Convenience and Necessity issued in Application B-1295.

AUTHORITY SOUGHT

Passengers and their baggage by taxicab between points in Otoe County and between points in Otoe County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. Restrictions: No transportation of passengers and baggage by taxicab in the city of Falls City and vicinity and from Richardson County to points in Nebraska and from points in Nebraska to Richardson County, is authorized. No transportation of railroad train crews is authorized.

Notice of the application was published in The Daily Record, Omaha, Nebraska on November 7, 1991, pursuant to the rules of the Commission.

Since no protest was filed, Application B-1320, was 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 proposed service.
2. The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
3. The certificate issued in Application B-1295, is not dormant.
4. A certificate should be issued in Application B-1320 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Passengers and their baggage by taxicab between points in Otoe County and between points in Otoe County, on the one hand, and, on the other hand, points in Nebraska over irregular routes.

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5. The certificate issued in Application B-1295 should be revoked and cancelled.

O R D E R

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application B-1320 be, and it is hereby, granted; 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 Ronald D. Allgood, dba Tree City Cab Company, Nebraska City, Nebraska, in Application B-1320, authorizing the operations set forth in Paragraph No. 4 of the foregoing findings; and that to avoid a lapse in authority, the Certificate of Public Convenience and Necessity issued in Application B-1295, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1320.

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 operations until a Certificate of Public Convenience and Necessity is issued.

IT IS FURTHER ORDERED that the operations authorized herein 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 29th day of January, 1992.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Daniel G. Haworth*  
*Duane D. Gay*

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

*Frank E. Landis, Jr.*  
Chairman

ATTEST:

*Robert R. [Signature]*  
Executive Director