

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. B-1325
Renzenberger, Inc., Shawnee, Kansas,)
which seeks to acquire, through)
purchase of all of the issued and)
outstanding shares of capital stock) GRANTED AND CERTIFICATE
of the company, the authority as a) B-1276, REVOKED
common carrier in Nebraska)
intrastate commerce granted to)
Inn "X" Press, Inc. in Certificate)
B-1276.) ENTERED: MARCH 31, 1992

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed February 13, 1992, Renzenberger, Inc., Shawnee, Kansas, seeks to acquire, through purchase of all of the issued and outstanding shares of capital stock of the company, the operating rights granted to Inn "X" Press, Inc. in Certificate of Public Convenience and Necessity issued in Application B-1276.

AUTHORITY SOUGHT

Union Pacific Railroad train crews, their baggage and train list documents between points in Nebraska on and east of U.S. Highway 83 over irregular routes. Restriction: Restricted to service provided in mini bus/van-type vehicles, and further restricted against any operation in Richardson County.

Notice of the application was published in The Daily Record, Omaha, Nebraska on February 17, 1992, pursuant to the rules of the Commission.

Since no protest was filed, Application B-1325, 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-1276, is not dormant.
4. A certificate should be issued in Application B-1325 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Union Pacific Railroad train crews, their baggage and train list documents between points in Nebraska on and east of U.S. Highway

APPLICATION NO. B-1325

PAGE TWO

83 over irregular routes. Restriction: Restricted to service provided in mini bus/van-type vehicles, and further restricted against any operation in Richardson County.

5. The certificate issued in Application B-1276 should be revoked and cancelled.

O R D E R

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application B-1325 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 Renzenberger, Inc., Shawnee, Kansas, in Application B-1325, 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-1276, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1325.

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 31st day of March, 1992.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Duane D. Gay

//s//James F. Munnelly
//s//Eric Rasmussen

Eric Rasmussen

Acting Chairman

ATTEST:

John R. King
Executive Director