

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of ) APPLICATION NO. B-1325  
 Renzenberger, Inc., Shawnee, Kansas, seek-) SUPPLEMENT 2  
 ing to extend the authority in Nebraska )  
 intrastate commerce as a common carrier )  
 granted in Certificate B-1325 in the )  
 transportation of railroad train crews and )  
 their baggage between points in Richardson) GRANTED AS AMENDED  
 County, and from Richardson County to )  
 points in Nebraska, and from points in )  
 Nebraska to Richardson County over irre- )  
 gular routes. ) ENTERED: JANUARY 10, 1994

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on October 28, 1993, Renzenberger, Inc., Shawnee, Kansas, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Railroad train crews and their baggage between points in Richardson County, and from Richardson County to points in Nebraska, and from points in Nebraska to Richardson County over irregular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on October 29, 1993, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on November 29, 1993, by Brown's Crew Car of Wyoming, Inc., dba Armadillo Express, through its attorney, Bradford E. Kistler. However, with the filing of a restrictive amendment to the original application on December 10, 1993, protestant withdrew its protest on December 13, 1993. Application No. B-1325, Supplement 2 was then processed pursuant to Rule 018.03 of the rules of procedures 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 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  
SUPPLEMENT NO. 2

SERVICE AND TERRITORY AUTHORIZED:

Union Pacific Railroad train crews and their baggage between points in Richardson County, and between points in Richardson County and points in Nebraska over irregular routes.

3. The application for extension should be granted as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1325, Supplement 2 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 Renzenberger, Inc., Shawnee, Kansas, in Application No. B-1325, Supplement 2 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 10th day of January, 1994.

COMMISSIONERS CONCURRING:

*Daniel S. Kravitz*  
*Duane D. Gay*

//s//Rod Johnson  
//s//Frank E. Landis, Jr.  
//s//James F. Munnelly

NEBRASKA PUBLIC SERVICE COMMISSION

*[Signature]*  
Chairman

ATTEST:

*[Signature]*  
Executive Director