

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of	)	APPLICATION NO. B-1325
Renzenberger, Inc., Shawnee, Kansas,	)	SUPPLEMENT 3
seeking to acquire, through transfer,	)	
the authority as a contract carrier in	)	GRANTED AND PERMIT
Nebraska intrastate commerce granted to	)	B-1029 REVOKED
Transportation Service, Inc. in	)	
Permit B-1029.	)	ENTERED: AUGUST 13, 1996

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed June 20, 1996, Renzenberger, Inc., Shawnee, Kansas, seeks to acquire, through transfer, the operating rights granted to Transportation Service, Inc. in Contract Carrier Permit B-1029.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on June 21, 1996, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on July 1, 1996, by Brown's Crew Car of Wyoming, Inc., dba Armadillo Express. The protest was subsequently withdrawn on July 29, 1996, by protestant. Application B-1325, Supplement 3 was then processed pursuant to Rule 018.03 of the rules of procedure 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 extended service.
2. The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
3. The permit issued in Application B-1029 is not dormant.
4. A permit should be issued in Application B-1325, Supplement 3 authorizing the following operations:

PERMIT AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of Burlington Northern railroad service crews between points within a 300-mile radius of Alliance over irregular routes.

5. The permit issued in Application B-1029 should be revoked and cancelled.

APPLICATION NO. B-1325, SUPPLEMENT 3

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O R D E R

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application B-1325, Supplement 3 be, and it is hereby, granted; and that upon compliance with the terms and conditions set forth in this Order, a Contract Carrier Permit shall be issued to Renzenberger, Inc., Shawnee, Kansas, in Application B-1325, Supplement 3, authorizing the operations set forth in the foregoing findings; and that to avoid a lapse in authority, the Contract Carrier Permit issued in Application B-1029, shall be revoked and cancelled simultaneously with the issuance of a Contract Carrier Permit in Application B-1325, Supplement 3.

IT IS FURTHER ORDERED that applicant shall not be issued the Contract Carrier Permit 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 Contract Carrier Permit 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 13th day of August, 1996.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*[Signature]*  
 //s//Rod Johnson  
 //s//Frank E. Landis  
 //s//James F. Munnelly  
 //s//Daniel G. Urwiller

Chairman *[Signature]*

ATTEST: *[Signature]*  
 Executive Director