

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of ) APPLICATION NO. B-1325  
Renzenberger, Inc., Shawnee, Kansas, ) SUPPLEMENT 4  
seeking to extend the authority as a )  
contract carrier in Nebraska intrastate )  
commerce for Dakota, Minnesota & )  
Eastern Railroad Corporation in the )  
transportation of train crews and their ) GRANTED  
baggage between points within a 300-mile )  
radius of Alliance, Nebraska, over )  
irregular routes under continuing )  
contracts with Dakota, Minnesota and )  
Eastern Railroad Corporation. )  
ENTERED: FEBRUARY 9, 1998

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed December 10, 1997, Renzenberger, Inc., Shawnee, Kansas, hereinafter referred to as applicant, seeks a permit to operate as a contract carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Train crews and their baggage between points within a 300-mile radius of Alliance, Nebraska, over irregular routes under continuing contracts with Dakota, Minnesota & Eastern Railroad Corporation.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on December 11, 1997, pursuant to the rules of the Commission.

Since no protest was filed, Application B-1325, Supplement 4, was 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 service proposed and to conform to the provisions of Neb. Rev. Stat., Sections 75-301 to 75-322.04, (Reissue 1996), and the requirements, rules and regulations of the Commission thereunder, and that the proposed operation, to the extent authorized by the permit, will be consistent with the public interest.
2. A permit should be issued in Application B-1325, Supplement 4, authorizing the following operations:

APPLICATION NO. B-1325, Supplement 4

PAGE TWO

PERMIT AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Train crews and their baggage between points within a 300-mile radius of Alliance, Nebraska, over irregular routes under continuing contracts with Dakota, Minnesota & Eastern Railroad Corporation.

3. The application should be granted.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application B-1325, Supplement 4, 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 4, authorizing the operations set forth in the foregoing findings.

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 Neb. Rev. Stat., Sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates), (Reissue 1996), 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.

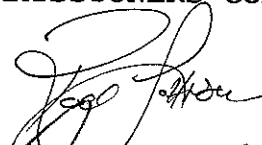
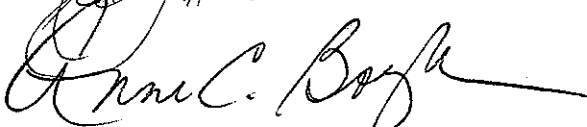
IT IS FURTHER ORDERED that applicant shall render reasonably continuous and adequate service to the public pursuant to the authority authorized.

IT IS FURTHER ORDERED that the permit 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 9th day of February, 1998.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION

  
Chairman

ATTEST:   
Deputy Director

//s//Lowell C. Johnson  
//s//Frank E. Landis  
//s//Daniel G. Urwiller