

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	APPLICATION NO. B-1328
Western Sightseeing Tours, Inc., Omaha,)	SUPPLEMENT 1
Nebraska, seeking to acquire, through)	
transfer, the authority as a common)	TEMPORARY AUTHORITY
carrier in Nebraska intrastate commerce))	GRANTED
granted to Atypical Transportation, dba))	
Ollie The Trolley in Certificate)	
B-1313.)	ENTERED: NOVEMBER 29, 1994

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed November 8, 1994, Western Sightseeing Tours, Inc., Omaha, Nebraska, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to Atypical Transportation, dba Ollie The Trolley in Certificate B-1313 which authorizes:

SERVICE AND TERRITORY AUTHORIZED:

- A) Passengers by bus which shall have a seating capacity of ten or more between points in Omaha and Douglas County and in the general vicinity over irregular routes.
 - B) Passengers by bus in charter and special party operations transporting no less than 7 passengers between points in Nebraska, except Richardson County, over irregular routes.
- Restriction: No transportation of railroad train crews.

In its application, applicant further requested that this Commission grant temporary approval to the applicant of a lease of the motor carrier properties and the certificate sought to be acquired by it. Notice of such request for temporary authority was published in The Daily Record, Omaha, Nebraska, on November 9, 1994, pursuant to the rules and regulations of this Commission.

It appears that failure to grant temporary approval may result in destruction of or injury to such motor carrier property and the certificate sought to be acquired, or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

Such temporary approval should be granted for ninety (90) days from the effective date of this Order pursuant to §75-319, R.R.S. 1943, as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the application for approval of a lease of the motor carrier properties and the certificate sought to be acquired by Western Sightseeing Tours, Inc. be, and it is hereby, granted to the applicant for ninety (90) days from the effective date of this Order.

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IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of §75-101 to §75-801, R.R.S. 1943, as amended, and to the rules, regulations and requirements of the Commission; such grant of temporary authority and the operations thereunder shall not be admissible in evidence to establish or prove present or future public convenience and necessity; and no renewal or extension of the period of ninety (90) days shall be granted.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of November, 1994.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Daniel S. Unwill
Duane D. Gay

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

Mark J. Jandey
Chairman

ATTEST:

John Burdett
Deputy Director