

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Tony )	APPLICATION NO. B-1329
Thurlow and Gina Thurlow, Atkinson, )	
Nebraska, seeking authority as a common )	
carrier in Nebraska intrastate commerce in)	
the transportation of passengers and their)	
baggage by limousine between points in )	GRANTED AS AMENDED
Nebraska over irregular routes. )	
Restriction: Restricted against traffic )	
originating in Richardson, Douglas, )	
Lancaster, Hall, Adams, Stanton, Madison, )	
Antelope, and Pierce counties. )	ENTERED: June 23, 1992

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on April 20, 1992, Tony Thurlow and Gina Thurlow, Atkinson, Nebraska, hereinafter referred to as Applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of property by motor vehicle as follows:

AUTHORITY SOUGHT

Passengers and their baggage by limousine between points in Nebraska over irregular routes. Restriction: Restricted against traffic originating in Richardson, Douglas, Lancaster, Hall, Adams, Stanton, Madison, Antelope, and Pierce counties.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on April 21, 1992, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on April 23, 1992, by Brown's Crew Car of Wyoming, Inc., dba Armadillo Express through its attorney, Bradford E. Kistler. However, with a filing of a restrictive amendment to the original application on April 29, 1992, Protestant withdrew its protest on April 29, 1992. Application No. B-1329 was then processed pursuant to Rule 018.03 of the Rules and Regulations of the Nebraska Public Service 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:

## CERTIFICATE AUTHORIZED

## SERVICE AND TERRITORY AUTHORIZED:

Passengers and their baggage by limousine between points in Nebraska over irregular routes. Restrictions: (1) Restricted against traffic originating in Richardson, Douglas, Lancaster, Hall, Adams, Stanton, Madison, Antelope, and Pierce counties; and (2) Restricted against the transportation of railroad train crews and their baggage.

3. The application should be granted as amended.

## O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1329 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 Tony Thurlow and Gina Thurlow, Atkinson, Nebraska, in Application No. B-1329 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 23rd day of June, 1992.

## COMMISSIONERS CONCURRING:

*Daniel G. Mueller*  
*Duane D. Gay*  
//s//Frank E. Landis, Jr.  
//s//James F. Munnelly  
//s//Eric Rasmussen

## NEBRASKA PUBLIC SERVICE COMMISSION

*Frank J. Anderson*  
Chairman

## ATTEST:

*Robert R. [Signature]*  
Executive Director