

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Denver Coach, ) APPLICATION NO. B-1343  
Inc., Scottsbluff, Nebraska, )  
seeking Commission approval to )  
transfer the stock of Denver ) TEMPORARY AUTHORITY GRANTED  
Coach, Inc., to Kevin Stocker. )  
)  
) ENTERED: NOVEMBER 5, 2008

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed October 10, 2008, Denver Coach, Inc., Scottsbluff, Nebraska, hereinafter referred to as applicant, seeks approval to transfer the stock of Denver Coach, Inc., to Kevin Stocker.

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Transportation of passengers and their baggage by bus between points in Sioux, Box Butte, Scotts Bluff, Sheridan, Morrill, Banner, Cheyenne, and Kimball counties and between points in those counties and points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

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 October 13, 2008, 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 Neb. Rev. Stat. (Reissue 2003), section 75-319.

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

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acquired by Denver Coach, Inc., will, and it is hereby, granted to the applicant for ninety (90) days from the effective date of this Order.

IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of Neb. Rev. Stat. (Reissue 2006), section 75-311, 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 of extension of the period of ninety (90) days shall be granted.

MADE AND ENTERED at Lincoln, Nebraska, this 5<sup>th</sup> day of November, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gerald L. Voss*

*Robert J. Landis*

*Tim Schram*

//s// Anne C. Boyle

//s// Frank E. Landis

*Anne C. Boyle*  
Chair

ATTEST:

*Michael J. H.*

Executive Director