

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, seeking to )  
acquire, through transfer, the )  
authority granted to TF-CF, ) TEMPORARY AUTHORITY GRANTED  
Inc., dba Touch of Class )  
Limousine, Morrill, in )  
Certificate B-1673. ) ENTERED: SEPTEMBER 10, 2009

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed August 27, 2009, Denver Coach, Inc., Scottsbluff, Nebraska, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to TF-CF, Inc., dba Touch of Class Limousine, Morrill, in Certificate B-1673.

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Passengers and their baggage by limousine between points in Scotts Bluff, Banner, Morrill, Box Butte, Dawes, Sioux, Garden, and Keith Counties, and between said counties on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Supp. 1: Passengers by luxury limousine between points in Kimball, Cheyenne, Deuel and Sheridan counties, and between said counties, on the one hand, and, on the other hand, Passengers and their baggage by bus in charter and special operation between 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 August 28, 2009, 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.

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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 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 2003), 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 10<sup>th</sup> day of September, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*David L. Voss*

*Jeff Johnson*

*Ann C. Boyle*

*Tim Schram*

//s// Frank E. Landis

ATTEST:

*James L. Smith*  
Chairman

*Mike [Signature]*  
Executive Director