

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of James J.) APPLICATION NO. B-1345  
Bright, dba Royal Flush Coach Service, )  
Royal, Nebraska, seeking authority as a com- )  
mon carrier in Nebraska intrastate commerce )  
in the transportation of passengers and ) GRANTED AS AMENDED  
their baggage by vans between points within )  
a 300-mile radius of Royal over irregular )  
routes. Restriction: Restricted against )  
the transportation of railroad train crews. ) ENTERED: APRIL 26, 1993

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on March 3, 1993, James J. Bright, dba Royal Flush Coach Service, Royal, Nebraska, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Passengers and their baggage by vans between points within a 300-mile radius of Royal over irregular routes. Restriction: Restricted against the transportation of railroad train crews.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on March 4, 1993, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on March 8, 1993, by Safeway Cabs, Inc., through its attorney, Jeffrey W. Meyers. However, with a filing of a restrictive amendment to the original application on April 2, 1993, protestant withdrew its protest on April 7, 1993. Application No. B-1345 was then processed pursuant to Rule 018.03 of the rules of procedures 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 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 vans between points within a 300-mile radius of Royal over irregular routes. Restrictions: Each trip requires 24-hour notice in advance of service, and the transportation of railroad train crews and service which begins and ends in Douglas and Sarpy counties are not authorized.

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-1345 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 James J. Bright, dba Royal Flush Coach Service, Royal, Nebraska, in Application No. B-1345 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 26th day of April, 1993.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Daniel A. Munnelly*

//s//Rod Johnson

//s//Frank E. Landis, Jr.

//s//James F. Munnelly

*James J. Bright*  
Chairman

ATTEST:

*W. R. G.*  
Executive Director