

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Midwest ) APPLICATION NO. B-1351  
Special Services, Inc., Curtis, (A) ) SUPPLEMENT 1  
seeking to extend the authority as a common )  
carrier in Nebraska intrastate commerce )  
granted in Certificate B-1351 in the trans- )  
portation of medical patients in need of )  
supervised assistance between points in )  
Nebraska over irregular routes; and (B) )  
seeks authority as a contract carrier in )  
Nebraska intrastate commerce for the )  
Nebraska Department of Health and Human )  
Services in the transportation of passengers ) GRANTED AS AMENDED  
and their baggage between points in Nebraska )  
over irregular routes under continuing )  
contract(s) with Nebraska Department of )  
Health and Human Services. RESTRICTION: )  
Transportation originating in Douglas, )  
Sarpy and Lancaster Counties is not )  
authorized. Restricted against the )  
transportation of railroad train crews and )  
their baggage. Further restricted against )  
the operation of local taxi service. ) ENTERED: MARCH 31, 1998

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on October 20, 1997, Midwest Special Services, Inc., Curtis, 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

(A) transportation of medical patients in need of supervised assistance between points in Nebraska over irregular routes; and  
(B) transportation of passengers and their baggage between points in Nebraska over irregular routes under continuing contract(s) with Nebraska Department of Health and Human Services;  
RESTRICTIONS: Transportation originating in Douglas, Sarpy and Lancaster Counties is not authorized. Restricted against the transportation of railroad train crews and their baggage. Further restricted against the operation of local taxi service.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on October 22, 1997, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on November 4, 1997, by Yellow Cab & Limo, Inc., Beatrice. However, with the filing of a restrictive amendment to the original application on February 24, 1998, protestant withdrew its protest on March 2, 1998. Application No. B-1351, Supplement 1, was then processed pursuant to Rule 018.03 of the rules of procedures of the Commission.

APPLICATION NO. B-1351, SUPPLEMENT 1

PAGE TWO

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 Neb. Rev. Stat., Sections 75-301 to 75-322.04, (Reissue 1996), 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

SUPPLEMENT NO. 1

SERVICE AND TERRITORY AUTHORIZED:

(A) Transportation of medical patients in need of supervised assistance between points in Nebraska over irregular routes; and  
(B) transportation of passengers and their baggage between points in Nebraska over irregular routes under continuing contract(s) with Nebraska Department of Health and Human Services.

RESTRICTIONS: Transportation originating in Douglas, Sarpy and Lancaster Counties is not authorized. Restricted against the transportation of railroad train crews and their baggage. Further restricted against the operation of local taxi service. Further restricted against transportation originating in Jefferson, Gage, Saline, Thayer, Johnson, Pawnee and Richardson Counties.

3. The application for extension should be granted as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1351, Supplement 1 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 Midwest Special Services, Inc., Curtis, Nebraska, in Application No. B-1351, Supplement 1, authorizing the operations set forth in 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 Neb. Rev. Stat., Sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates), (Reissue 1996), 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.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1351, SUPPLEMENT 1

PAGE THREE

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 31st day of March, 1998.

COMMISSIONERS CONCURRING:

*Ann C. Boyle*

*Lowell C. Johnson*

//s/ Lowell C. Johnson  
//s/ Frank E. Landis  
//s/ Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

*Lowell C. Johnson*  
Chairman

ATTEST:

*Robert H. Logsdon*  
Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

---

