

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Execu-) APPLICATION NO. B-1352
tive Limousine Service, Inc., Norfolk,) SUPPLEMENT 2
Nebraska, seeking to extend the authority)
as a common carrier in Nebraska intrastate)
commerce in the transportation of passen-)
gers and their baggage by limousine bet-)
ween points in Holt, Wheeler, Greeley,) GRANTED AS AMENDED
Howard, Hall, Dawson, Merrick, Nance,)
Boone, Antelope, Knox, Cedar, Dixon,)
Dakota, Thurston, Burt, Cuming, Colfax,)
and Polk counties in Nebraska over irregu-)
lar routes. Restriction: The transporta-)
tion of railroad train crews and their)
baggage is not authorized.) ENTERED: AUGUST 2, 1994

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on June 3, 1994, Executive Limousine Service, Inc., Norfolk, 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 limousine between points in Holt, Wheeler, Greeley, Howard, Hall, Dawson, Merrick, Nance, Boone, Antelope, Knox, Cedar, Dixon, Dakota, Thurston, Burt, Cuming, Colfax, and Polk counties in Nebraska over irregular routes. Restriction: The transportation of railroad train crews and their baggage is not authorized.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on June 6, 1994, pursuant to the rules of the Commission.

Timely protests to the granting of this application were filed on June 8, 1994, by K & S Expressway, Inc. and 1st Class Limousine. However, with the filing of a restrictive amendment to the original application on June 29, 1994, protestants withdrew their protests on July 7, 1994. Application No. B-1352, Supplement 2 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:

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CERTIFICATE AUTHORIZED

SUPPLEMENT NO. 2

SERVICE AND TERRITORY AUTHORIZED:

Passengers and their baggage by limousine between points in Wheeler, Greeley, Howard, Hall, Dawson, Merrick, Nance, Boone, Antelope, Knox, Cedar, Dixon, Dakota, Thurston, Burt, Cuming, Colfax, and Polk counties in Nebraska over irregular routes. Restriction: The transportation of railroad train crews and their baggage is not authorized.

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-1352, Supplement 2 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 Executive Limousine Service, Inc., Norfolk, Nebraska, in Application No. B-1352, Supplement 2 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 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 2nd day of August, 1994.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

//s//Duane D. Gay
//s//Rod Johnson
//s//James F. Munnelly


Acting Chairman

ATTEST:


Executive Director