

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. B-1354
Southwest Coaches, Inc., Marshall, Minne-))
sota, seeking authority as a common)
carrier in Nebraska intrastate commerce)
in the transportation of passengers and)
their baggage by bus from points in Wayne) GRANTED
County on the one hand, and, on the other)
hand, points in Nebraska over irregular)
routes. Restriction: No transportation)
of railroad train crews is authorized.) ENTERED: SEPTEMBER 28, 1993

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed July 30, 1993, Southwest Coaches, Inc., Marshall, Minnesota, 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 bus from points in Wayne County on the one hand, and, on the other hand, points in Nebraska over irregular routes. Restriction: No transportation of railroad train crews is authorized.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 2, 1993, pursuant to the rules of the Commission.

Since no protest was filed, Application B-1354 was processed pursuant to Rule 018.03 of the rules of procedure 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 bus from points in Wayne County on the one hand, and, on the other hand, points in Nebraska over irregular routes. Restriction: No transportation of railroad train crews is authorized.

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3. The application should be granted.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application B-1354 be, and it is hereby, granted; 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 Southwest Coaches, Inc., Marshall, Minnesota, in Application B-1354, 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 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 28th day September, 1993.

COMMISSIONERS CONCURRING:

Daniel G. Mueller

//s//Rod Johnson

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

//s//James F. Munnelly

NEBRASKA PUBLIC SERVICE COMMISSION

Mark Smedley
Chairman

ATTEST:

David R. King
Executive Director