

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

BY THE COMMISSION:

By application filed on November 4, 1994, Trease Enterprises, Inc., dba Special Moments Limousines, Clearwater, 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:

Passengers and their baggage by limousine, except railroad train crews, between points in Cedar, Dixon, Dakota, Thurston, Wayne, Madison, Stanton, Cuming, Burt, Colfax, Dodge, Washington, Saunders, Douglas, Sarpy, Lancaster, Otoe, Johnson, Nemaha, Richardson, Pawnee, Dawes, Sioux, Box Butte, Sheridan, Cherry, Scotts Bluff, Morrill, Garden, Grant, Arthur, Hooker, McPherson, Thomas, Logan, Banner, Kimball, Deuel, Cheyenne, Keith, Perkins, Chase, Hayes, Dundy, and Hitchcock counties on the one hand, and, on the other hand, points in Nebraska over irregular routes.

Timely protests to the granting of this application were filed on November 22, 1994, by Executive Limousine Service, Inc.; on November 23, 1994, by O'Rourke & O'Rourke Buggy Rentals, Inc.; on December 5, 1994, by K & S Expressway, Inc. and 1st Class Limousine; and on December 6, 1994, by Sandhills Limos, Inc. However, with the filing of a restrictive amendment to the original application on December 7, 1994, O'Rourke & O'Rourke Buggy Rentals, Inc. withdrew its protest on December 9, 1994; Executive Limousine Service, Inc. withdrew its protest on January 10, 1995; Sandhills Limos, Inc. withdrew its protest

on January 12, 1995; and K & S Expressway, Inc. and 1st Class Limousine withdrew their protests on January 27, 1995. Application No. B-1370, 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:

CERTIFICATE AUTHORIZED

SUPPLEMENT NO. 2

SERVICE AND TERRITORY AUTHORIZED:

Passengers and their baggage by limousine, except railroad train crews, between points in Cedar, Dixon, Dakota, Thurston, Wayne, Madison, Stanton, Cuming, Burt, Colfax, Dodge, Washington, Saunders, Douglas, Sarpy, Lancaster, and Richardson counties on the one hand, and, on the other hand, points in Nebraska over irregular routes.

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-1370, 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 Trease Enterprises, Inc., dba Special Moments Limousines, Clearwater, Nebraska, in Application No. B-1370, 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.

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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 21st day of February, 1995.

COMMISSIONERS CONCURRING:

*Rod Johnson*

//s//Rod Johnson

//s//Frank E. Landis

//s//James F. Munnelly

//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

*Daniel G. Urwiller*

Chairman

ATTEST:

*Robert B. Logsdon*

Executive Director

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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