

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Mid American Coaches, Inc., dba Heartland Coaches, Beatrice, Nebraska, seeking authority as a contract carrier in Nebraska intrastate commerce for C & C Tours in the transportation of passengers and their baggage by bus in charter and special operations between points in Nebraska over irregular routes under continuing contract(s) with C & C Tours.) APPLICATION NO. B-1377
GRANTED AS AMENDED
ENTERED: AUGUST 2, 1994

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed May 25, 1994, Mid American Coaches, Inc., dba Heartland Coaches, Beatrice, Nebraska, hereinafter referred to as applicant, seeks a permit to operate as a contract carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Passengers and their baggage by bus in charter and special operations between points in Nebraska over irregular routes under continuing contract(s) with C & C Tours.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on May 26, 1994, pursuant to the rules and regulations of the Nebraska Public Service Commission pertaining to notice.

A timely protest to the granting of this application was filed on May 27, 1994, by Brown's Crew Car of Wyoming, Inc., dba Armadillo Express. However, with a filing of a restrictive amendment to the original application on June 23, 1994, protestant withdrew its protest on July 5, 1994. Application B-1377 was then 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, and that the proposed operation, to the extent authorized by the permit, will be consistent with the public interest.
2. A permit should be issued in Application B-1377 authorizing the following operations:

PERMIT AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Passengers and their baggage by bus in charter and special operations between points in Nebraska over irregular routes

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under continuing contract(s) with C & C Tours. Restriction: Transportation of railroad train crews and their baggage is 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 B-1377 be, and it is hereby, granted as amended; and that upon compliance with the terms and conditions set forth in this order, a permit shall be issued to Mid American Coaches, Inc., dba Heartland Coaches, Beatrice, Nebraska, in Application B-1377 authorizing the operations set forth in the foregoing findings.

IT IS FURTHER ORDERED that applicant shall not be issued the Contract Carrier Permit 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 Contract Carrier Permit 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 permit 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