

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. B-1383
 Roger B. Miller, dba Metropolitan Cabs-))
 Handicabs, Sioux City, Iowa, seeking)
 to acquire, through transfer, the) TEMPORARY AUTHORITY
 authority as a common carrier in) GRANTED
 Nebraska intrastate commerce granted to)
 Cabs, Inc., dba Metropolitan Cabs in)
 Certificate B-1073.) ENTERED: NOVEMBER 29, 1994

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed November 4, 1994, Roger B. Miller, dba Metropolitan Cabs-Handicabs, Sioux City, Iowa, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to Cabs, Inc., dba Metropolitan Cabs in Certificate B-1073 which authorizes:

SERVICE AND TERRITORY AUTHORIZED:

Passengers, baggage of passengers, mail, express, and newspapers by taxicab in South Sioux City and vicinity.

In its application, applicant further requested that this Commission grant temporary approval to the applicant of a lease of the motor carrier properties and the certificate sought to be acquired by it. Notice of such request for temporary authority was published in The Daily Record, Omaha, Nebraska, on November 7, 1994, pursuant to the rules and regulations of this Commission.

It appears that failure to grant temporary approval may result in destruction of or injury to such motor carrier property and the certificate sought to be acquired, or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

Such temporary approval should be granted for ninety (90) days from the effective date of this Order pursuant to §75-319, R.R.S. 1943, as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the application for approval of a lease of the motor carrier properties and the certificate sought to be acquired by Roger B. Miller, dba Metropolitan Cabs-Handicabs be, and it is hereby, granted to the applicant for ninety (90) days from the effective date of this Order.

IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of §75-101 to §75-801, R.R.S. 1943, as amended, and to the rules, regulations and requirements of the Commission; such grant of temporary authority and the operations thereunder shall not be

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admissible in evidence to establish or prove present or future public convenience and necessity; and no renewal or extension of the period of ninety (90) days shall be granted.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of November, 1994.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Daniel G. Kuviller

//s//Duane D. Gay

//s//Rod Johnson

//s//Frank E. Landis

//s//James F. Munnelly

Mark S. Sneider
Chairman

ATTEST:

John Burdette
Deputy Director