

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Good) APPLICATION NO. B-1401
Samaritan Health System, Kearney, Nebraska,)
seeking authority as a common carrier in)
Nebraska intrastate commerce in the trans-) GRANTED AS AMENDED
portation of passengers and their baggage by)
passenger van between points in Buffalo and)
Sherman counties over irregular routes.) ENTERED: JANUARY 9, 1996

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on November 9, 1995, Good Samaritan Health System, Kearney, 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 passenger van between points in Buffalo and Sherman counties over irregular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on November 14, 1995, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on November 15, 1995, by Brown's Crew Car of Wyoming, dba Armadillo Express. However, with a filing of a restrictive amendment to the original application on December 6, 1995, protestant withdrew its protest on December 12, 1995. Application No. B-1401 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, 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 passenger van between points in Buffalo and Sherman counties over irregular routes. Restriction: Transportation of railroad crews and their baggage incident to their employment and unrelated to the obtaining of medical care is not authorized.

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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 No. B-1401 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 Good Samaritan Health System, Kearney, Nebraska, in Application No. B-1401 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 9th day of January, 1996.


COMMISSIONERS CONCURRING:

//s//Rod Johnson
//s//Frank E. Landis
//s//James F. Munnelly
//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director