

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. B-1437
Lou & Mary Jo Marshall dba Double)
Diamond Limousine Service, North Platte,)
seeking authority as a common carrier)
in Nebraska intrastate commerce in the)
transportation of passengers and their) GRANTED
baggage by limousine between points in)
Lincoln, Keith, Frontier and Red Willow)
counties and between points within said)
counties on the one hand, and, on the)
other hand, points in Nebraska over)
irregular routes. RESTRICTION: The) ENTERED: SEPTEMBER 30, 1997
transportation of railroad train crews)
and their baggage is not authorized.)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 28, 1997, Lou & Mary Jo Marshall dba Double Diamond Limousine Service, North Platte, 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

Transportation of passengers and their baggage by limousine between points in Lincoln, Keith, Frontier and Red Willow counties and between points within said counties on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on April 30, 1997, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on May 30, 1997, by Sandhills Limos, Inc., Hyannis, Nebraska. The protest was subsequently withdrawn on September 8, 1997.

Application B-1437 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, R.R.S. 1996, and the requirements, rules and regulations of the Commission thereunder.

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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:

Transportation of passengers and their baggage by limousine between points in Lincoln, Keith, Frontier and Red Willow counties and between points within said counties on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

3. The application should be granted.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application B-1437 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 Lou & Mary Jo Marshall dba Double Diamond Limousine Service, in Application B-1437, 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. 1996, 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.

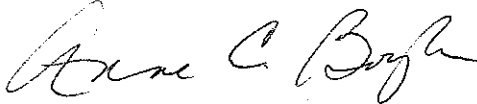
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IT IS FURTHER ORDERED that the Certificate of Public Convenience and Necessity authorized shall be subject to the terms, conditions, and limitations which have been, or may hereafter be, prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 30th day of September, 1997.

COMMISSIONERS CONCURRING:




//s//Lowell C. Johnson
//s//Frank E. Landis

NEBRASKA PUBLIC SERVICE COMMISSION


Vice Chairman

ATTEST:


Executive Director

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