

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Trans-) APPLICATION NO. B-1439
port Plus, Inc., Lincoln, Nebraska, seeking) SUPPLEMENT 1
to extend the authority as a common carrier)
in Nebraska intrastate commerce in the)
transportation of passengers that are ADA)
eligible between points in Lancaster County) GRANTED AS AMENDED
and from points originating in Lancaster)
County to points in Nebraska over irregular)
routes.) ENTERED: JANUARY 13, 1999

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on October 22, 1998, Transport Plus, Inc., Lincoln, 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 that are ADA eligible between points in Lancaster County and from points originating in Lancaster County to points in Nebraska over irregular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on October 23, 1998, pursuant to the rules of the Commission.

Timely protests to the granting of this application were filed on November 16, 1998, by Prince of the Road and on November 19, 1998, by Husker Cabs, Inc. However, Prince of the Road subsequently withdrew its protest on January 4, 1999; and upon the filing of a restrictive amendment to the original application on January 6, 1999, Husker Cabs, Inc. withdrew its protest on January 6, 1999. Application No. B-1439, Supplement 1, 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 Neb. Rev. Stat. Sections 75-301 to 75-322.04 (Reissue 1996) 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:

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CERTIFICATE AUTHORIZED

SUPPLEMENT NO. 1

SERVICE AND TERRITORY AUTHORIZED:

Passengers that are ADA eligible between points in Lancaster County and from points originating in Lancaster County to points in Nebraska over irregular routes. RESTRICTIONS: (1) Restricted against taxi service; (2) 24-hour advance scheduling is required for all transportation other than transportation conducted under contract with the Lincoln Star Tran Brokerage Program; and (3) Restricted to a maximum fleet of four vehicles with said fleet restricted to four van-type vehicles or three vans and one compact sedan and said sedan restricted to use in the Star Tran Brokerage Program.

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-1439, Supplement 1, 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 Transport Plus, Inc., Lincoln, Nebraska, in Application No. B-1439, Supplement 1, 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 Neb. Rev. Stat. Sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Reissue 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 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.

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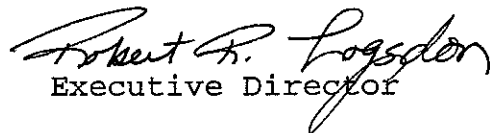
MADE AND ENTERED at Lincoln, Nebraska, this 13th day of January, 1999.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

//s//Lowell C. Johnson
//s//Frank E. Landis
//s//Daniel G. Urwiller

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