### BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

| In the Matter of the Application of   | ) | APPLICATION NO. B-1440      |
|---------------------------------------|---|-----------------------------|
| Ambassador Limousine Service dba      | ) |                             |
| Teens N'Tots on Tires, Lincoln,       | ) |                             |
| seeking to acquire, through transfer, | ) | GRANTED AND CERTIFICATE     |
| the authority as a common carrier in  | ) | B-1414 REVOKED              |
| Nebraska intrastate commerce granted  | ) |                             |
| to Teens N'Tots on Tires, Inc., in    | ) |                             |
| Certificate B-1414.                   | ) | ENTERED: SEPTEMBER 15, 1997 |

## BY THE COMMISSION:

# OPINION AND FINDINGS

By application filed May 27, 1997, Ambassador Limousine Service dba Teens N'Tots on Tires, Lincoln, seeks to acquire, through transfer, the operating rights granted to Teens N'Tots on Tires, Inc., in Certificate of Public Convenience and Necessity B-1414.

Notice of the application was published in <u>The Daily Record</u>, Omaha, Nebraska, on May 28, 1997, pursuant to the rules of the Commission.

Application B-1440 was 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:

- Applicant is fit, willing, and able properly to perform the proposed service.
- The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
- 3. The certificate issued in Application B-1414 is not dormant.
- A certificate should be issued in Application B-1440, authorizing the following operations:

#### CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Students, preschool through grade 12, and their baggage by passenger van, pursuant to arrangements and terms of a membership agreement, between points in Lancaster County over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

5. The certificate issued in Application B-1414 should be revoked and cancelled.

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#### ORDER

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application B-1440 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 Ambassador Limousine Service dba Teens N'Tots on Tires, Lincoln, Nebraska, in Application B-1440 authorizing the operations set forth in the foregoing findings; and that to avoid a lapse in authority, the Certificate of Public Convenience and Necessity issued in Application B-1414 shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1440.

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 the operations authorized herein 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 15th day of September, 1997.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONGURRING:

//s//Rod Johnson

//s//Frank E. Landis

//s//Daniel G. Urwiller

Chairman

ATTEST:

Executive Direct