

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Walter) APPLICATION NO. B-1448
Fowler dba Luxor Limousine, Bellevue,)
seeking authority as a common carrier in)
Nebraska intrastate commerce in the trans-) GRANTED AS AMENDED
portation of passengers and their baggage)
by limousine between points in Nebraska)
over irregular routes. RESTRICTION: The) ENTERED: JULY 7, 1998
transportation of railroad train crews and)
their baggage is not authorized.)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on August 25, 1997, Walter Fowler dba Luxor Limousine, Bellevue, 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 Douglas, Sarpy and Lancaster counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on August 26, 1997, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on September 9, 1997, by Yellow Cab & Limo, Beatrice, and on September 12, 1997, by Happy Cab Co., Omaha. However, with a filing of restrictive amendments to the original application on December 8, 1997, and June 15, 1998, both protestants withdrew their protests on December 12, 1997, and June 12, 1998. Application No. B-1448 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, (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

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers and their baggage by limousine between points in Douglas, Sarpy and Lancaster counties over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. Restricted to limousine service, as opposed to sedan service with service restricted at Omaha Eppley Airport to limousine service for prearranged rides only. Restricted against transportation originating in Lancaster County.

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-1448 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 Walter Fowler dba Luxor Limousine, Bellevue, Nebraska, in Application No. B-1448 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.

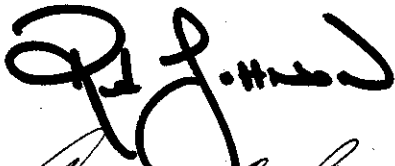
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IT IS FURTHER ORDERED that the Certificate of Public Convenience and Necessity authorized shall be subject to the terms, conditions, and limitations which have been, or may hereafter be, prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of July, 1998.

COMMISSIONERS CONCURRING:



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



NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Deputy Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
