

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) B-1470/PI-45  
of the Public Service Commission, )  
on its own motion, to conduct a ) ORDER OPENING  
departmental investigation of ) DEPARTMENTAL  
A-1 Ambassador Limousine, Inc. ) INVESTIGATION  
for alleged violations of )  
Commission rules. )  
Entered: March 20, 2001

BY THE COMMISSION:

The Commission, on its own motion, hereby opens this docket to conduct an investigation of allegations made that A-1 Ambassador Limousine, Inc., d/b/a Haymarket Limousine ("A-1 Ambassador") violated Commission rules and regulations properly promulgated under state law. In support of its motion, the Commission alleges and states as follows:

1. A-1 Ambassador, by virtue of the authority granted by this Commission in Application B-1470, holds a certificate as a common carrier in the transportation of passengers and their baggage by limousine between points in Nebraska except points in Douglas, Sarpy, and Richardson Counties, over irregular routes.
2. The Commission has jurisdiction over the certification and regulation of motor carriers and their properties pursuant to Neb. Rev. Stat. § 75-301 et seq., and authority to investigate the violations alleged herein of state laws and rules promulgated thereunder, pursuant to Neb. Rev. Stat. § 75-111 (Reissue 1996).
3. On December 12, 2000, the Commission received a Formal Complaint from R&F Hobbies, Inc., d/b/a Prince of the Road ("Prince of the Road") alleging that A-1 Ambassador on or about September 9, 2000, rented a vehicle from Kirshner Auto Corner, A&A Auto Rentals, Broken Bow, Nebraska, for use in transporting passengers under the authority granted by this Commission, and used the vehicle as an additional temporary vehicle augmenting its fleet and that such vehicle was used in the transportation of passengers from Broken Bow to Alliance, North Platte, Omaha, and Norfolk. Prince of the Road alleges that such augmentation was a violation of Title 291, Ch. 3, Motor Carrier Rules and Regulations, Rule 004.003 (specifically, 004.003C).

Application No. B-1470/PI-45

Page 2

4. The Formal Complaint further alleged that A-1 Ambassador operated the vehicle without a proper door display. Prince of the Road further alleged that A-1 Ambassador operated a 1993 Mercury Villager Van out of Broken Bow without a door display. Such allegations, if proven, would violate Title 291, Ch.3, Motor Carrier Rules and Regulations, Rule 004.04.

WHEREFORE,

1. The Commission hereby opens this investigation and provides that A-1 Ambassador shall be allowed twenty days from the entry of this order to Answer to admit or deny each material allegation of this order entered.
2. That after the period for the filing of an Answer, the Commission shall proceed to hold a hearing for the purposes of investigating the allegations contained herein pursuant to Title 291, Ch. 1, Commission Rules of Procedure, Rule 012.01, 012.02 and 012.03.
3. If the Commission finds, as a result of this investigation and the investigative hearing, that A-1 Ambassador has violated the provision of any statute over which the Commission has jurisdiction, or any rule properly promulgated thereunder, the Commission may (a) proceed to a departmental compliant, (b) enter any order justified in the premises, or (c) upon a finding that the violation is proven by clear and convincing evidence, assess a civil penalty in an amount authorized pursuant to Neb. Rev. Stat. § 75-156 (Cum. Supp. 2000).

O R D E R

IT IS ORDERED that this docket be opened to investigate the allegations against A-1 Ambassador as contained herein.

IT IS FURTHER ORDERED that A-1 Ambassador be given a period of not more than twenty days from the entry of this order to file an Answer to the material allegations in the order entered.

IT IS FURTHER ORDERED that a hearing be scheduled for Wednesday, April 11, 2001, at 1:30 p.m.

Application No. B-1470/PI-45

Page 3

MADE AND ENTERED in Lincoln, Nebraska on this 20th day of March, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Frank E. Landis*

*Arnell C. Bayle*

*Daniel G. Urwiller*

//s//Frank E. Landis  
//s//Daniel G. Urwiller

*Frank Sande*  
Chairman

ATTEST:

*And S. Pollock*  
Executive Director

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