

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. B-1484
Jeanette M. Swanson, dba Lady Limo, Yutan,)
Nebraska, seeking authority as a common)
carrier in Nebraska intrastate commerce)
in the transportation of passengers by) GRANTED AS AMENDED
limousine service between points within a)
100-mile radius of Yutan over irregular)
routes. RESTRICTION: The transportation)
of railroad train crews and their baggage)
is not authorized.) ENTERED: JANUARY 13, 1999

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on September 21, 1998, Jeanette M. Swanson, dba Lady Limo, 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 by limousine service between points within a 100-mile radius of Yutan 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 September 24, 1998, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on October 2, 1998, by Old Market Limousine and Accent Limousine Service, through their attorney, Marshall Becker. However, with the filing of a restrictive amendment to the original application on October 19, 1998, protestants withdrew their protest on October 21, 1998. Application No. B-1484 was then processed pursuant to Rule 018.03 of the rules of procedures of the Commission.

The Commission notes, for the record, that this applicant was the subject of an investigation by this Commission prior to and during this application process. As a result of that investigation, the applicant was found to be transporting passengers for hire without appropriate authorization from this 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. secs. 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:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Passengers by limousine service between points within a 100-mile radius of Yutan over irregular routes. RESTRICTIONS: (1) Transportation of railroad train crews and their baggage is not authorized, and (2) transportation originating in Douglas or Sarpy counties is not authorized.

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-1484 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 Jeanette M. Swanson, dba Lady Limo, Lincoln, Nebraska, in Application No. B-1484 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. secs. 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 applicant shall be subject to the following requirements:

1. Applicant is to provide to the Commission monthly statements for the twelve consecutive months following approval of this application. Such statements shall include:
 - a. trip logs for the preceding month;
 - b. the names, dates, pick-up and drop-off times of all persons transported; and,
 - c. the applied charges for each person or persons transported.

APPLICATION NO. B-1484

PAGE THREE

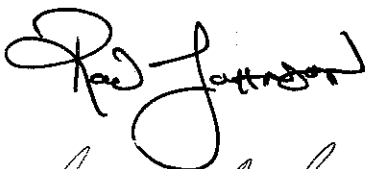
2. Such monthly statements are to be received by the Commission not later than the tenth day of each month.

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 13th day of January, 1999.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION



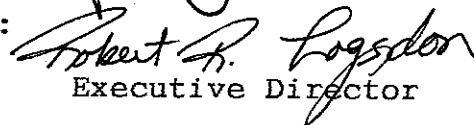
//s//Lowell C. Johnson

//s//Frank E. Landis

//s//Daniel G. Urwiller


Chairman

ATTEST:


Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
