

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. B-1486
Hank W. Bosteder dba Private Limo, South)
Sioux City, seeking authority as a)
common carrier in Nebraska intrastate) GRANTED AS AMENDED
commerce in the transportation of)
passengers by limousine service between)
points in Nebraska over irregular routes.) ENTERED: DECEMBER 15, 1998

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on September 21, 1998, Hank W. Bosteder dba Private Limo, South Sioux City, 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 and their baggage by limousine service between points in Nebraska over irregular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on September 29, 1998, pursuant to the rules of the Commission.

Timely protests to the granting of this application were filed on October 1, 1998, by Brown's Crew Car of Wyoming, dba Armadillo Express, on October 2, 1998, by Old Market Limousine and Accent Limousine Service, through their attorney, Marshall Becker, and on October 5, 1998, by Yellow Cab and Limo, Inc. However, with the filing of restrictive amendments to the original application on October 5, 1998, and on October 27, 1998, protestants withdrew their protests on October 6, 1998, and on November 2, 1998. Application No. B-1486 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

SERVICE AND TERRITORY AUTHORIZED:

Passengers and their baggage by luxury limousine service between points in Dakota, Dixon, Wayne and Thurston counties and from points originating in Dakota, Dixon, Wayne and Thurston counties, to points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

3. The application for authority should be granted as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1486 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 Hank W. Bosteder dba Private Limo, South Sioux City, Nebraska, in Application No. B-1486, 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.

MADE AND ENTERED at Lincoln, Nebraska, this 15th day of December, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Ann C. Boyle

//s//Lowell C. Johnson

//s//Frank E. Landis

Lowell C. Johnson
Chairman

ATTEST:

Robert S. Logsdon
Executive Director