

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of	) APPLICATION NO. B-1495
E & M Luxury Limousine Service, North	)
Platte, seeking authority as a common	)
carrier in Nebraska intrastate commerce	) GRANTED AS AMENDED
in the transportation of passengers by	)
limousine between points in Nebraska over	)
irregular routes. RESTRICTION: The	) ENTERED: APRIL 20, 1999
transportation of railroad train crews	)
and their baggage is not authorized.	)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on January 28, 1999, E & M Luxury Limousine Service, North Platte, 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 between points in Nebraska 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 February 1, 1999, pursuant to the rules of the Commission.

Timely protests to the granting of this application were filed on February 8, 1999, by Touch of Class Limousine Service; on February 9, 1999, by Prince of the Road, through its attorney, John Boehm; by Yellow Cab & Limo, Inc., on February 16, 1999; by O'Rourke & O'Rourke Buggy Rentals, Inc., on February 17, 1999; by Special Moments Limousines, and by Executive Limousine Service on March 3, 1999. On March 15, 1999, a restrictive amendment was filed by the applicant. On March 24, 1999, Prince of the Road, through its attorney, John Boehm, and Special Moments Limousine withdrew their protests. On April 1, 1999, Touch of Class Limousine Service and Executive Limousine Service withdrew their protests. On April 2, 1999, Yellow Cab & Limo, Inc., withdrew its protest, and on April 5, 1999, O'Rourke & O'Rourke Buggy Rentals, Inc., withdrew its protest. Application No. B-1495 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.

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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:

COMMON: Passengers and their baggage in luxury limousines between points in Lincoln County over irregular routes.

RESTRICTION: The transportation of railroad train crews and their baggage 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-1495 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 E & M Luxury Limousine Service, North Platte, Nebraska, in Application No. B-1495 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 20th day of April, 1999.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION

ATTEST:

Chairman

Executive Director

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