

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. B-1497
Steven James Bright dba Royal Flush)
Coach Service, Royal, seeking to)
acquire, through transfer, the) GRANTED AND CERTIFICATE
authority granted to to James J.) B-1345 REVOKED
Bright dba Royal Flush Coach Service)
in Certificate B-1345.) ENTERED: MARCH 30, 1999

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed February 9, 1999, Steven James Bright dba Royal Flush Coach Service, Royal, Nebraska, seeks to acquire, through transfer, the operating rights granted to James J. Bright dba Royal Flush Coach Service in Certificate of Public Convenience and Necessity B-1345.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 11, 1999, pursuant to the rules of the Commission.

Application B-1497 was processed pursuant to Rule 018.03 of the rules of procedure 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 proposed service.
2. The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
3. The certificate issued in Application B-1345 is not dormant.
4. A certificate should be issued in Application B-1497, authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Passengers and their baggage by vans between points within a 300-mile radius of Royal over irregular routes.

RESTRICTIONS: Each trip requires 24-hour notice in advance of service, and the transportation of railroad train crews and service which begins and ends in Douglas and Sarpy counties are not authorized.

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5. The certificate issued in Application B-1345 should be revoked and cancelled.

O R D E R

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application B-1497 be, and it is hereby, granted; 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 Steven James Bright dba Royal Flush Coach Service, Royal, Nebraska, in Application B-1497, authorizing the operations set forth in the foregoing findings; and that to avoid a lapse in authority, the Certificate of Public Convenience and Necessity issued in Application B-1345 shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1497.

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 operations until a Certificate of Public Convenience and Necessity is issued.

IT IS FURTHER ORDERED that the operations authorized herein 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 30th day of March, 1999.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Ann C. Boyle

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

Lowell C. Johnson
Chairman

ATTEST:

Robert B. Logsdon
Executive Director