

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1505
of Abbott Transportation, Inc.,) SUPPLEMENT 3
Council Bluffs, Iowa, seeking to)
extend its authority as a)
contract carrier for Abbott)
Parking, Inc., Omaha, in the)
transportation of passengers and) GRANTED AS AMENDED
their baggage by sedan, vans and)
buses between the facility of)
Abbott Parking in Omaha and)
Eppley Airfield over irregular) ENTERED: JANUARY 19, 2005
routes. RESTRICTION: The)
transportation of railroad train
crews and their baggage is not
authorized.

OPINION AND FINDINGS

By application filed April 9, 2004, Abbott Transportation, Inc., Council Bluffs, Iowa, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicles as follows:

AUTHORITY SOUGHT

Transportation of passengers and their baggage by sedan, vans and buses between the facility of Abbott Parking in Omaha and Eppley Airfield as a contract carrier for Abbott Parking, Inc., in open class service over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

A timely protest to the granting of this application was filed on April 27, 2004, by Yellow Cab, Checker Cab, Cornhusker Cab, through its attorney Jerry Sena. On December 9, 2004, an amendment to the authority sought was filed by the applicant. On January 18, 2005, the protestants withdrew their protest. Application No. B-1505, Supplement 3, was then 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 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:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED: Transportation of passengers and their baggage by sedan, vans and buses between the facilities of Abbott Parking located at 1655 East Locust Street and 1301 East Hartman Avenue in Omaha and Eppley Airfield as a contract carrier for Abbott Parking, Inc., in open class service over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. The foregoing service authorization may not hereafter be expanded.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1505, Supplement 3, 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 Abbott Transportation, Inc., Council Bluffs, Iowa, in Application B-1505, Supplement 3, 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), 75-207 (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.

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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 19th day of January, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Lowell J. Thurson

Anne C. Boyle

R. L. Johnson

//s// Gerald L. Vap

Chairman

Gerald L. Vap

ATTEST:

AdS Pollock

Executive Director

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