

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. B-1517  
Comstock Corporation dba Action ) SUPPLEMENT 2  
Cab, Grand Island, seeking to )  
acquire, through transfer, the ) GRANTED AND CERTIFICATE  
authority granted to Hastings ) B-1507 REVOKED  
Taxi and Transportation Services, )  
LLC, Hastings, in Certificate )  
B-1507. ) ENTERED: APRIL 2, 2002

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed October 9, 2001, Comstock Corporation dba Action Cab, Grand Island, seeks to acquire, through transfer, the operating rights granted to Hastings Taxi and Transportation Services, LLC, Hastings, in Certificate No. B-1507.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on November 28, 2001, pursuant to the rules of the Commission.

On December 19, 2001, a protest was filed by Kearney Cab Company through its attorney, Thomas W. Tye. On March 19, 2002, the protestant withdrew its protest. Application No. B-1517, Supplement 2, 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 proposed extended 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 No. B-1507 is not dormant.

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4. A certificate should be issued in Application No. B-1517, Supplement 2, authorizing the following operations.

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: (A) Taxicab operations between points in Adams County, on the one hand, and, on the other hand, points in Adams, Buffalo, Clay, Franklin, Hall, Hamilton, Kearney, Nuckolls, and Webster counties. (B) Operating limousine service between the Clarke Hotel, 3<sup>rd</sup> and Hastings Avenue, Hastings, and the Terminal Building at Grand Island Airport, Grand Island, and return.

5. The certificate issued in Application No. B-1507 should be revoked and cancelled.

O R D E R

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application No. B-1517, Supplement 2, 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 Comstock Corporation dba Action Cab, Grand Island, Nebraska, in Application No. B-1517, Supplement 2, authorizing the operations set forth in the foregoing findings; and that to avoid a lapse of authority, the Certificate of Public Convenience and Necessity issued in Application No. B-1507, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application No. B-1517, Supplement 2.

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.

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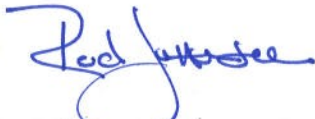
IT IS FURTHER ORDERED that applicant shall not conduct operations until a Certificate of Public Convenience and Necessity is issued.

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 2<sup>nd</sup> day of April, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Anne C. Boyle



Chair

ATTEST:



on behalf of the  
Executive Director