

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of ) APPLICATION NO. B-1544  
 Jude U. Uchendu dba Diamond Link )  
 Services, Omaha, seeking authority as a )  
 common carrier in Nebraska intrastate )  
 commerce in the transportation of ) DISMISSED  
 passengers by sedan, van, and )  
 wheelchair-accessible vans between )  
 points in Douglas and Sarpy Counties. )  
 RESTRICTION: The transportation of ) ENTERED: APRIL 3, 2001  
 railroad train crews and their baggage )  
 is not authorized. )

BY THE COMMISSION:

OPINION AND FINDINGS

On January 19, 2001, protestant Checker Cab Company, Yellow Cab Company, and Happy Cab dba Happy Cab Co., and DonMark dba Cornhusker Cab Co., filed a motion to compel applicant to answer its interrogatories. On February 6, 2001, the Commission entered an order requiring applicant to respond to the interrogatories propounded by Checker Cab Company, Yellow Cab, and Happy Cab dba Happy Cab Co., and DonMark dba Cornhusker Cab Co., no later than February 23, 2001. On March 15, 2001, Checker Cab Company, Yellow Cab, and Happy Cab dba Happy Cab Co., and DonMark dba Cornhusker Cab Co., filed a motion to dismiss the applicant's application accompanied by the affidavit of protestant's counsel, Patrick J. Sullivan, which averred that applicant had not responded to the interrogatories of Checker Cab Company, Yellow Cab, and Happy Cab dba Happy Cab Co., and DonMark dba Cornhusker Cab Co.

From the files and records before it, the Commission is of the opinion that applicant has had more than ample time to respond to the interrogatories propounded by Checker Cab Company, Yellow Cab, and Happy Cab dba Happy Cab Co., and DonMark dba Cornhusker Cab Co., and that applicant has ignored and violated the order of this Commission to answer the interrogatories. The application should be dismissed.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application B-1544 be, and it is hereby, dismissed.

IT IS FURTHER ORDERED that the hearing set for a date later to be determined, be, and it is hereby, cancelled.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of April, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*James E. Johnson*  
*Ann C. Boyle*

ATTEST:

*Timothy J. Saunders*  
 Chairman  
*John S. Sullivan*  
 Deputy Director

//s//Frank E. Landis  
 //s//Daniel G. Urwiller