

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1554
of DJW, Inc., dba Luxury Limousine) SUPPLEMENT 2
Service, Syracuse, Nebraska, seeking)
to acquire, through transfer, the)
authority granted to Steven L. Gill)
dba Cookies Limousine Service,) GRANTED AND CERTIFICATE IN
Beatrice, in Certificate B-1536.) B-1536 REVOKED
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)
)
) ENTERED: MAY 13, 2003

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed March 11, 2003, DJW, Inc., dba Luxury Limousine Service, Syracuse, Nebraska, seeks to acquire, through transfer, the operating rights granted to Steven L. Gill dba Cookies Limousine Service, Beatrice, Nebraska, in Certificate B-1536.

On March 16, 2003, a protest to this application was filed by Yellow Cab & Limo. On April 23, 2003, the protestant withdrew his protest. Application B-1554, Supp. 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 B-1536 is not dormant.
4. A Certificate should be issued in Application B-1554, Supplement 2, authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Passengers by luxury limousine service between points in Richardson County, and between points within said county, on the one hand, and, on the other, points within a 150 mile radius of Falls City over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

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The certificate issued in Application B-1536 should be revoked and cancelled.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1554, 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 DJW, Inc., dba Luxury Limousine Service, Syracuse, in Application B-1554, 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 B-1536, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1554, 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 upon reasonable notice to applicant, be of no further force and effect.


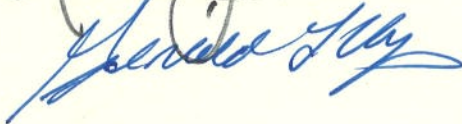
IT IS FURTHER ORDERED that applicant shall not conduct operations until a Certificate of Public Convenience and Necessity is issued.

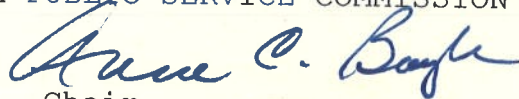
IT IS FURTHER ORDERED that the operations authorized herein shall be subject to the terms, conditions, and limitations which have been, or may hereafter be prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 13th day of May, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Executive Director

//s//Anne C. Boyle
//s//Frank E. Landis