

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of D & L Express, Inc.,) APPLICATION NO. B-1559
Atkinson, seeking authority as a) SUPPLEMENT 1
common carrier (charter and special)
party) in intrastate commerce between)
points in Nebraska over irregular)
routes. RESTRICTIONS: The use of a 16)
passenger van/bus or larger is)
authorized. The transportation of) GRANTED
passengers in Richardson County is)
not authorized. The transportation of)
railroad train crews is not)
authorized. The transportation of)
clients for the Nebraska Department)
of Health and Human Services or)
subcontractors thereof is not) ENTERED: MAY 22, 2002
authorized.)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on March 20, 2002, D & L Express, Inc., Atkinson, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Common carrier (charter and special party) in intrastate commerce between points in Nebraska over irregular routes. The use of a 16 passenger van/bus or larger is authorized. RESTRICTIONS: The transportation of passengers in Richardson County is not authorized. The transportation of railroad train crews and their baggage is not authorized. The transportation of clients for the Nebraska Department of Health and Human Services or subcontractors thereof is not authorized.

Notice of the above-captioned application was published in the Daily Record, Omaha, Nebraska, on March 21, 2002, pursuant to the rules of the Commission. Since no protests were filed on this application, Application B-1559, Supplement 1, was then processed pursuant to Rule 018.03 of the rules of procedures of the Commission.

After due consideration of the evidence and being fully advised in the premises, the Commission is of the opinion and finds:

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1559, SUPPLEMENT 1

PAGE TWO

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:

Common carrier (charter and special party) in intrastate commerce between points in Nebraska over irregular routes. The use of a 16 passenger van/bus or larger is authorized. RESTRICTIONS: The transportation of passengers in Richardson County is not authorized. The transportation of railroad train crews and their baggage is not authorized. The transportation of clients for the Nebraska Department of Health and Human Services or subcontractors thereof is not authorized.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1559, Supplement 1, be, and it is hereby granted; and that upon compliance with terms and conditions set forth in this Order, a Certificate of Public Convenience and Necessity shall be issued to Quality Transportation Service, Inc., Lincoln, Nebraska, in Application No. B-1559, Supplement 1, 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 the 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 the operations until a Certificate of Public Convenience and Necessity is issued.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1559, SUPPLEMENT 1

PAGE THREE




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 22nd day of May, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

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


Chair

ATTEST:


Executive Director