

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Mark Hamilton)	APPLICATION NO. B-1572
dba Interstate Security)	
Service, Kearney, seeking)	
authority as a common carrier)	
in Nebraska intrastate commerce)	GRANTED AS AMENDED
for the transportation of)	
prisoners and juvenile)	
offenders in vans and sedans in)	
open class service including)	
clients of Nebraska Department)	ENTERED: APRIL 2, 2002
of Health and Human Services)	
between points in Nebraska over)	
irregular routes.)	

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on November 13, 2001, Mark Hamilton dba Interstate Security Service, Kearney, Nebraska, 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

Transportation of prisoners and juvenile offenders in vans and sedans in open class service including clients of Nebraska Department of Health and Human Services between points in Nebraska over irregular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska on November 15, 2001, pursuant to the rules of the Commission.

Timely protests to the granting of this application were filed on November 19, 2001, by Prince of the Road through its attorney, John Boehm; by Midwest Special Services, Inc., through its attorney Jack Shultz; by Yellow Cab & Limo, Inc., and Husker

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Cabs, Inc., through its attorney, Mark Breiner. However, with a filing of a restrictive amendment on January 23, 2002, the protestants withdrew their protests.

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, (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 prisoners and juvenile offenders in vans and sedans in open class service between points in Nebraska over irregular routes. RESTRICTION: The transportation of clients of the Nebraska Department of Health and Human Services is not authorized.

3. The application should be granted as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1572, 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 Mark Hamilton dba Interstate Security Service, Kearney, Nebraska, in Application B-1572 authorizing the operations set forth in the foregoing findings.

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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.

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 2ND day of April, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Anne C. Boyle



Chair

ATTEST:



on behalf of the
Executive Director