

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Charles A. ) APPLICATION NO. B-1580  
Ward dba Panda Transportation, )  
Valentine, seeking authority as )  
a common carrier in Nebraska )  
intrastate commerce in the ) GRANTED AS AMENDED  
transportation of passengers )  
including the transportation of )  
Health and Human Services )  
clients and prisoners in open )  
class service by van between ) ENTERED: MAY 22, 2002  
points in Nebraska over )  
irregular routes. )

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on January 24, 2002, Charles A. Ward dba Panda Transportation, Valentine, Nebraska, 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 passengers including the transportation of Health and Human Services clients and prisoners in open class service by van between points in Nebraska over irregular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska on January 31, 2002, pursuant to the rules of the Commission.

A timely protest to the granting of this application was filed on February 27, 2002, by Yellow Cab & Limo, Inc., on February 28, 2002, by Happy Cab, Yellow Cab, Checker Cab, and Cornhusker Cab Company, through their attorney, Patrick Sullivan; on March 4, 2002, by Comstock Corporation dba Action Cab; and, on March 4, 2002, by Husker Cabs, Inc., through its attorney, Mark Breiner, (subsequently transferred to Servant Cab Company dba Yellow Cab Company and Capital Cab Company, through its attorney, Jack Shultz). However, with a filing of three restrictive

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amendments on April 26, 2002, May 7, 2002, and May 20, 2002, 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 passengers, including the transportation of Health and Human Services clients and prisoners in open class service by van between points in Sheridan, Cherry, Keya Paha, Brown, and Rock counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: Service for trips originating in Adams and Hall counties is not authorized.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1580, 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 Charles A. Ward dba Panda Transportation, Valentine, Nebraska, in Application B-1580 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 applicant has fully complied within a

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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.


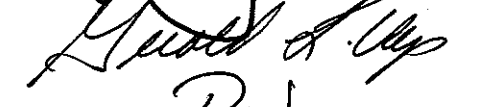
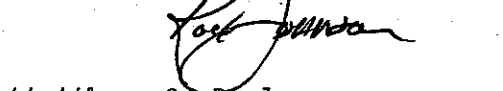
IT IS FURTHER ORDERED that applicant shall render reasonably continuous and adequate service to the public pursuant to the authority authorized.

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 22nd day of May, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

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

  
Chair

ATTEST:

  
Executive Director

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