

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of City Cab,)	APPLICATION NO. B-1586
L.L.C., Fremont, seeking to)	
acquire, through transfer, the)	
authority granted to Zimmerman)	TEMPORARY AUTHORITY GRANTED
Construction and Repair, Inc.,)	
Fremont, in Certificate B-1010.)	
)	ENTERED: MAY 7, 2002

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 18, 2002, City Cab, L.L.C., Fremont, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to Zimmerman Construction and Repair, Inc., Fremont in Certificate B-1010 which authorizes:

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers and baggage of passengers within Fremont and points in the immediate area.

Applicant further seeks to modify the authority for the purpose of defining "points in the immediate area" so as to read "Passengers and baggage of passengers within Fremont and a radius of 30 miles of Fremont."

In its application, applicant further requested that this Commission grant temporary approval to the applicant of a lease of the motor carrier properties and the certificate sought to be acquired by it. Notice of such request for temporary authority was published in The Daily Record, Omaha, Nebraska, on April 22, 2002, pursuant to the rules and regulations of this Commission.

It appears that failure to grant temporary approval may result in destruction of or injury to such motor carrier property and the certificate sought to be acquired, or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

APPLICATION NO. B-1586

PAGE TWO

Such temporary approval should be granted for ninety (90) days from the effective date of this Order pursuant to Neb. Rev. Stat. (Reissue 1996), section 75-319. Only the existing authority as described in Certificate B-1010 should be granted on a temporary basis. Applicant's modification of the existing authority should not be granted on a temporary basis.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the application for approval of a lease of the motor carrier properties and the certificate sought to be acquired by City Cab, L.L.C., Fremont, will, and it is hereby, granted to the applicant for ninety (90) days from the effective date of this Order.

IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of Neb. Rev. Stat. (Reissue 1996), section 75-311, and to the rules, regulations and requirements of the Commission; such grant of temporary authority and the operations thereunder shall not be admissible in evidence to establish or prove present or future public convenience and necessity; and no renewal of extension of the period of ninety (90) days shall be granted.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of May, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

[Signature]

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

[Signature]
Chair

ATTEST:

[Signature]
Executive Director