

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1590
of Alford Oil Company dba VIP) SUPPLEMENT 3
Limousine, Omaha, seeking)
authority as a common carrier of) GRANTED AS AMENDED
passengers by charter bus between)
points in Nebraska over irregular)
routes. RESTRICTION: The)
transportation of railroad train) ENTERED: AUGUST 12, 2003
crews and their baggage is not)
authorized.)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 21, 2003, Alford Oil Company dba VIP Limousine, Omaha, Nebraska, hereinafter referred to as applicant, seeks to operate as a common carrier of passengers by motor vehicle as follows:

CERTIFICATE SOUGHT

Transportation of passengers by bus in charter service between all points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on April 29, 2003, pursuant to the rules of the Commission.

On May 20, 2003, a protest was filed by Prince of the Road, through its attorney, John Boehm. On July 8, 2003, a restrictive amendment was filed by the applicant. On July 14, 2003, Prince of the Road, through its attorney, John Boehm, withdrew its protest.

Application B-1590, Supplement 3, will be processed pursuant to Rule 018.03 of the rules of procedure of the Commission.

The Commission's authority over common carriers in charter service is governed in part by federal law, which restricts States from enacting or enforcing any law, rule, regulation, standard, or other provision having the force and effect of law relating to the authority to provide intrastate or interstate charter bus transportation. See 49 U.S.C. § 14501. Federal law further provides that States are not restricted from exercising safety regulatory authority with respect to motor vehicles, and may regulate motor carriers with regard to minimum amounts of financial responsibility relating to insurance requirements and self-insurance authorization. Id.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1590, SUPPLEMENT 3

PAGE TWO

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

1. Applicant is able properly to conform to applicable 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. Upon compliance 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, a Certificate of Compliance should be issued as proposed:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers by bus in charter service between all points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Service is restricted to the use of vehicles having a passenger capacity rating of 20 or more.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1590, Supplement 3, be, and it is hereby, granted; and that upon compliance with the terms and conditions set forth in this Order, a Certificate of Compliance shall be issued to Alford Oil Company dba VIP Limousine, Omaha, in Application B-1590, Supplement 3, authorizing the operations set forth in the foregoing findings.

IT IS FURTHER ORDERED that applicant shall not be issued the Certificate of Compliance authorized by the Commission unless and until applicant has fully complied, within ninety (90) days 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 operations until a Certificate of Compliance 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.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

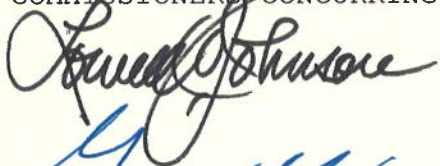

APPLICATION NO. B-1590, SUPPLEMENT 3

PAGE THREE

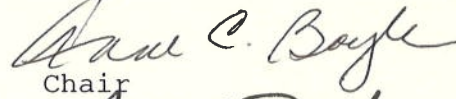
MADE AND ENTERED at Lincoln, Nebraska, this 12th day of August,
2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

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


Chair

ATTEST:


Executive Director