

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of National Arbor	)	APPLICATION NO. B-1606
Day Foundation, Nebraska City,	)	SUPPLEMENT 1
seeking to acquire, through	)	
transfer, the authority granted	)	TEMPORARY AUTHORITY GRANTED
to DW & JW, Inc., dba Luxury	)	
Limousine & Trolley Service, in	)	
Certificate B-1712 (excludes	)	ENTERED: APRIL 27, 2010
Supplement 2)	)	

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 14, 2010, National Arbor Day Foundation, Nebraska City, Nebraska, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to DW & JW, Inc., dba Luxury Limousine & Trolley Service, in Certificate B-1712, excludes Supplement 2, which authorizes:

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Passengers in rubber-tired trolley cars in Otoe County and in charter service, all charters to originate and terminate in Nebraska City. SUPP. 1: Passengers in rubber-tired trolley cars in charter service, originating and terminating in Nebraska City, whereby visitors, shoppers, or residents of Nebraska City and surrounding counties are transported from Nebraska City and surrounding counties are transported from Nebraska City to a specified location and returned to Nebraska City. RESTRICTION: Transportation of railroad train crews and their baggage is not authorized. Supp. 2: Passengers and their baggage by bus in charter and special operation between points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

SUPPLEMENT 1: Transportation of passengers and their baggage by trolley in charter and special party originating within a 100-mile radius of Nebraska City, Nebraska. HHS Designation: No.

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 19, 2010, pursuant to the rules and regulations of this Commission.

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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.

Such temporary approval should be granted for ninety (90) days from the effective date of this Order pursuant to Neb. Rev. Stat. (Reissue 2003), section 75-319.

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 National Arbor Day Foundation, 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 2003), 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 27<sup>th</sup> day of April, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

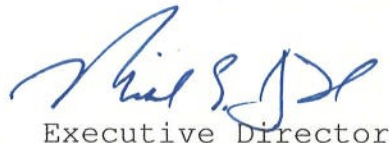
  


//s// Frank E. Landis  
//s// Gerald L. Vap

Chairman



ATTEST:

  
Executive Director