

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1606
of National Arbor Day Foundation,)
Lincoln, seeking to acquire,)
through transfer, the authority) GRANTED AND PERMIT
granted to AMFAC Recreational) B-1502 REVOKED
Services, Inc., dba Lied Conference)
Center, in Permit B-1502.)
ENTERED: NOVEMBER 26, 2002

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed October 1, 2002, National Arbor Day Foundation, Lincoln, seeks to acquire, through transfer, the operating rights granted to AMFAC Recreational Services, Inc., dba Lied Conference Center, in Permit B-1502.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on October 3, 2002, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1606, was processed pursuant to Rule 018.03 of the rules of procedure of the Commission.

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 proposed extended service.
2. The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
3. The permit issued in Application B-1502 is not dormant.

APPLICATION NO. B-1606

PAGE TWO

4. A permit should be issued in Application B-1606, authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers by van, between points in Otoe County and between points within said county, on the one hand, and, on the other hand, points in Nebraska under continuing contracts with the Lied Conference Center.

RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. Transportation passengers shall be only registered guests at the Lied Conference Center.

5. The permit issued in Application B-1502 should be revoked and cancelled.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1606, be, and it is hereby, granted; and that upon compliance with the terms and conditions set forth in this Order, a Permit shall be issued to National Arbor Day Foundation in Application B-1606 authorizing the operations set forth in the foregoing findings; and that to avoid a lapse of authority, the Permit issued in Application B-1502, shall be revoked and cancelled simultaneously with the issuance of a Permit in Application B-1606.

IT IS FURTHER ORDERED that applicant shall not be issued the Permit 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 operations until a Permit is issued.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1606

PAGE THREE

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.

MADE AND ENTERED at Lincoln, Nebraska, this 26th day of November, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



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



Chair

ATTEST:



Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
