

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) APPLICATION NO. B-1615  
of Terry Lee Blakey, d/b/a Need )  
A Lift Transportation, Omaha, )  
Nebraska, seeking authority as a )  
common carrier of passengers in ) ORDER GRANTING PROTESTANT'S  
intrastate transportation in ) MOTION TO REOPEN HEARING  
open class service by van ) AND SETTING HEARING  
between points in Cass, Douglas, )  
Sarpy and Washington Counties )  
over irregular routes to include )  
clients of the Nebraska )  
Department of Health and Human )  
Services. ) ENTERED: AUGUST 26, 2003

BY THE COMMISSION:

1. By application filed January 1, 2003, Terry Lee Blakey seeks authority as captioned above. A hearing in this matter was held on May 21, 2003, via videoconference at the Nebraska Public Service Commission, Lincoln and the State Office Building, Omaha.

2. Following the hearing, Protestant Prince of the Road, by and through its attorney John Boehm, filed a Motion to Reopen Hearing.

3. In support of its Motion, Protestant alleges that the day after the hearing, its counsel received two letters that Protestant maintains are in direct contradiction to the testimony of the Applicant. The first letter, attached to Protestant's Motion as Exhibit A and dated January 7, 200[3], is from Goodwill Medical Transportation to Terry Blakey, notifying Mr. Blakey that his equipment lease was terminated. The second letter, attached to Protestant's Motion as Exhibit B and dated December 5, 2002, is from Goodwill Medical Transportation to the Eastern Nebraska Office on Aging (ENOA), stating that Goodwill Medical Transportation's contract with ENOA was cancelled on December 5, 2002.

4. Protestant requests that the Commission reopen the hearing for further testimony on the issues raised by the two letters.

O P I N I O N      A N D      F I N D I N G S

5. The Commission finds that it should reopen the hearing in this matter to take evidence regarding the two letters identified by Protestant. All testimony and other evidence must be confined to issues presented by the two letters.

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6. The Commission further finds that it should hold a hearing in this matter on September 4, 2003, at 10:00 a.m.

O R D E R

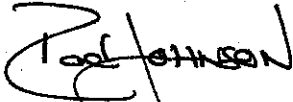
IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the hearing in this matter is hereby reopened.

IT IS FURTHER ORDERED that a hearing is set for September 4, 2003, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.


MADE AND ENTERED at Lincoln, Nebraska, this 26th day of August, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



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

  
Chair

ATTEST:

  
Executive Director