

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of LS)	APPLICATION NO. B-1639
Enterprises, Inc., dba Ollie)	
the Trollie, Omaha, seeking)	
to acquire, through transfer,)	TEMPORARY AUTHORITY GRANTED
the authority granted to)	
Western Sightseeing Tours,)	
Inc., in Certificate B-1328.)	ENTERED: OCTOBER 28, 2003

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed October 10, 2003, LS Enterprises, Inc., dba Ollie The Trollie, Omaha, Nebraska, Omaha, Nebraska, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to Western Sightseeing Tours, Inc., in Certificate B-1328 which authorizes:

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Transporting passengers on sightseeing tours to points in the City of Omaha, Nebraska, and vicinity over irregular routes in round-trip operations beginning and ending at the same location. Supp. 1(A) Passengers by bus which shall have a seating capacity of ten or more between points in Omaha and Douglas County and in the general vicinity over irregular routes and (B) passengers by bus in charter and special party operations transporting no less than seven passengers between points in Nebraska, except Richardson County, over irregular routes. 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.

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 October 17, 2003, 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 1996), 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 LS Enterprises, Inc. dba Ollie The Trollie, will, and it is hereby, granted to the applicant for ninety (90) days from the effective date of this Order.

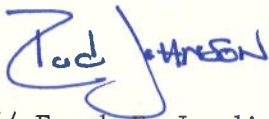
IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of Neb. Rev. Stat. (Reissue 1996), section 75-311, and to the rules, regulations and requirements of the Commission; such grant of temporary authority and the operations thereunder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

MADE AND ENTERED at Lincoln, Nebraska, this 28th day of October, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION


COMMISSIONERS CONCURRING:



//s// Frank E. Landis

//s// Anne E. Boyle



Chair

ATTEST:



Executive Director