

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1641
of VIP Limobus, LLC, Omaha,) SUPPLEMENT 1
seeking to acquire, through)
transfer, the authority granted) GRANTED AND CERTIFICATE
to Ronald D. Hippen dba Royal) B-1596 REVOKED
Coach Lines, Beatrice, in)
Certificate B-1596.)
ENTERED: FEBRUARY 1, 2005

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed July 26, 2004, VIP Limobus, LLC, Omaha, seeks to acquire, through transfer, the operating rights granted to Ronald D. Hippen dba Royal Coach Lines, Beatrice, in Certificate B-1596.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on August 17, 2004, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1641, Supplement 1, 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 certificate issued in Application B-1596 is not dormant.
4. A certificate should be issued in Application B-1641, Supplement 1, authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers by bus between points in Nebraska.

RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. The transportation of clients of the Nebraska Department of Health and Human Services, FHC Options, Partners or any other subcontractors of Health and Human Services is not authorized. Further restricted to the transportation of passengers in buses or vehicles with a seating capacity of more than 30.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1641, Supplement 1, be, and it is hereby, granted; and that upon compliance with the terms and conditions set forth in this Order, a Certificate of Public Convenience and Necessity shall be issued to VIP Limobus LLC, Omaha, Nebraska, in Application B-1641, Supplement 1, Omaha, Nebraska, authorizing the operations set forth in the foregoing findings; and that to avoid a lapse of authority, the Certificate of Public Convenience and Necessity issued in Application B-1596, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1641, Supplement 1.

IT IS FURTHER ORDERED that applicant shall not be issued the Certificate of Public Convenience and Necessity 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 Certificate of Public Convenience and Necessity 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.

MADE AND ENTERED at Lincoln, Nebraska, this 1ST day of February, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Anne C. Boyle

Reed Johnson

//s// Frank E. Landis

//s// Gerald L. Vap

Chairman

Shawn Kelly

ATTEST:

And S. Pollock

Executive Director