

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1647
of Pontine Enterprises Limousine)
Services, LLC, Hastings, seeking)
to acquire, through transfer, the) GRANTED AND CERTIFICATE
authority granted to Running) B-1498 REVOKED
Horse Enterprises, LLC, in)
Certificate B-1498.)
ENTERED: AUGUST 31, 2004

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 7, 2004, Pontine Enterprises Limousine Services, LLC, Hastings, seeks to acquire, through transfer, the operating rights granted to Running Horse Enterprises, LLC, in Certificate B-1498.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on April 16, 2004, pursuant to the rules of the Commission.

On April 20, 2004, a protest was filed by VIP Limousine, LLC, Omaha. On July 9, 2004, the protest was withdrawn. Therefore, Application B-1647, 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-1498 is not dormant.
4. A certificate should be issued in Application B-1647 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers by limousine service between points in and within a 200-mile radius of Hastings over irregular routes.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1647, 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 Pontine Enterprises Limousine Services, LLC, Hastings, Nebraska, in Application B-1647, 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-1498, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1647.

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 31st day of August, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Vap
Anne E. Boyle
Rock Johnson

//s// Gerald L. Vap

Chairman

Gerald L. Vap

ATTEST:

Andy Pollock
Executive Director