

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1662
of Black Tie Limousine, Merrill,)
Iowa, seeking to acquire, through)
transfer, the authority granted) GRANTED AND CERTIFICATE
to Black Tie Limousine, Inc.,) B-1525 REVOKED
in Certificate B-1525.)
ENTERED: AUGUST 23, 2005

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed March 23, 2005, Black Tie Limousine, Merrill, Iowa, hereinafter referred to as applicant, seeks to acquire, through transfer, the authority granted to Black Tie Limousine, Inc., in Certificate B-1525.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on March 28, 2005, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1662 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 service, and to conform to the provisions of Neb. Rev. Stat., sections 75-301 to 75-322.04, (Reissue 2003), and the requirements, rules and regulations of the Commission thereunder.
2. The proposed intrastate service will be consistent with the public interest and will not unduly restrict competition.
3. The certificate issued in Application B-1525 is not dormant.
4. A certificate should be issued in Application B-1662 authorizing the following operations:

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CERTIFICATE AUTHORIZED

COMMON: Transportation of passengers by luxury limousine service between points within a 75-mile radius of South Sioux City over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1662 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 Black Tie Limousine, Merrill, Iowa, in Application B-1662 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-1525, shall be revoked and canceled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1662.

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 2003), 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.

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MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of August, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Lowell J. Thurson
Ann C. Buefle

//s// Frank E. Landis
//s// Gerald L. Vap

Chairman

ATTEST:

Gerald L. Vap
And J. Pollok
Executive Director

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