

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1668
of Fairbury Taxi, LLC, dba)
Fairbury Taxi, Fairbury, seeking)
to acquire, through transfer,) GRANTED AND CERTIFICATE
the authority granted to Yellow) B-1434, SUPPLEMENT 1,
Cab & Limo, Inc., in Certificate) REVOKED
B-1434, Supplement 1.)
) ENTERED: NOVEMBER 22, 2005

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed May 20, 2005, Fairbury Taxi, LLC, dba Fairbury Taxi, Fairbury, seeks to acquire, through transfer, the operating rights granted to Yellow Cab & Limo, Inc., in Certificate B-1434, Supplement 1.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on June 10, 2005, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1668, 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-1434, Supplement 1, is not dormant.
4. A certificate should be issued in Application B-1668, authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers and their baggage by taxicab between points in Jefferson, Gage, Saline and Thayer counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. The transportation of passengers and their baggage originating in Gage County is not authorized.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1668, 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 Fairbury Taxi LLC dba Fairbury Taxi, Fairbury, Nebraska, in Application B-1668, 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-1434, Supplement 1, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1668.

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.

MADE AND ENTERED at Lincoln, Nebraska, this 22nd day of November, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


//s/ Gerald L. Vap

Chairman



ATTEST:


Executive Director