

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1669
of "SMC" Shared Mobility Coach,)
Omaha, seeking to acquire, through)
transfer, the authority granted) GRANTED AND CERTIFICATE
to Shared Mobility Coach, Inc.,) B-1339 REVOKED
in Certificate B-1339.)
ENTERED: SEPTEMBER 21, 2005

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed June 24, 2005, "SMC" Shared Mobility Coach, Omaha, hereinafter referred to as applicant, seeks to acquire, through transfer, the authority granted to Shared Mobility Coach, Inc., in Certificate B-1339.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on July 12, 2005, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1669 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-1339 is not dormant.
4. A certificate should be issued in Application B-1669 authorizing the following operations:

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CERTIFICATE AUTHORIZED

COMMON: Transportation of passengers in vans specially modified according to the Americans with Disabilities Act who require driver assistance to board and exit the vans, and their attendants, between points within a 60-mile radius of Omaha on a flat rate basis within a 10-mile radius of the point of origin and on a mileage basis thereafter. To include the transportation of Health and Human Services clientele and their subcontractors thereof. 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-1669 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 "SMC" Shared Mobility Coach, Omaha, Nebraska, in Application B-1669 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-1339, shall be revoked and canceled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1669.

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 21st day of
September, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

James D. Johnson
Anne C. Boyle
Rod Johnson
//s// Gerald L. Vap

Chairman

ATTEST:

Gerald Vap
And S Pollock
Executive Director