

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1683,
Of CUSA ES, L.L.C., d/b/a) SUPPLEMENT 1
Express Shuttle, seeking)
Authority as a contract carrier) MOTION TO STAY LIFTED
For the Transportation of)
railroad train crews in open)
class by van between points in)
the state of Nebraska.) DATED: NOVEMBER 6, 2007

BY THE COMMISSION:

A Motion to Stay the above entitled matter was filed by the Applicant CUSA ES, L.L.C., requesting that all proceedings be stayed in this matter until after the Commission makes a ruling in a Petition for Declaratory Ruling involving the applicant is determined. A Stay of the proceedings in this matter was granted on November 14, 2006.

On September 25, 2007, the Commission entered an Order finding that transportation such as that proposed to be rendered in Application B-1683, Supplement 1, is intrastate in nature and subject to Commission regulation. On November 1, 2007, the Applicant filed a Motion to Lift the Stay entered on November 14, 2006, and schedule the matter for further hearing.

After being duly advised in the premises, the Commission finds that the Motion to Stay the above entitled matter should be lifted, and the matter be set for further action at a date and time to be determined.

O R D E R

IT IS, THEREFORE, ORDERED by the Commission in the above-entitled matter that Stay granted is hereby lifted, and further proceedings will be held at a later date and time to be determined by the Commission.

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MADE AND ENTERED at Lincoln, Nebraska, this 6th day of
November, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Vap

Anne C. Boyle

Tim Schram

//s// Rod Johnson

//s// Frank E. Landis

ATTEST:

Chairman

Rod Johnson

Michael H. H.

Executive Director