

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application), APPLICATION NO. B-1687
of Eppley Transportation Services,)
Omaha, seeking authority to)
acquire, through transfer, the)
authority granted to Abbott)
Transportation, Inc., Omaha, in)
Certificate B-1505.)
) ENTERED: JUNE 27, 2006

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 20, 2006, Eppley Transportation Services, Omaha, seeks to acquire, through transfer, the operating rights granted to Abbott Transportation, Lincoln, in Certificate B-1505.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on April 21, 2006, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1687 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-1505 is not dormant.
4. A certificate should be issued in Application B-1687 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED: COMMON: Transportation of passengers and their baggage by bus (15 passengers or less) (a) between Eppley Airfield and hotels and motels in Douglas and Sarpy Counties over irregular routes; and (b) in special party operations between points in Douglas and Sarpy Counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Further restricted as follows: Governmentally financed transportation of clients of the Nebraska Department of Health and Human Services and/or private contractors of the Nebraska Department of Health and Human Services such as, but not limited to, FHC Options and

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Partners, and/or of persons in the custody of the Department of Correctional Services, in their capacity as such clients and/or persons in custody, is not authorized.

SUPPLEMENT 1

COMMON: Transportation of passengers and their baggage by bus designed to transport 16 or more passengers, including the driver, (a) between Eppley Airfield and hotels and motels in Douglas and Sarpy Counties over irregular routes; (b) in special party operations between points in Douglas and Sarpy County over irregular routes; (c) in charter operations between points in Nebraska (except points in Douglas and Sarpy Counties) over irregular routes; and, (d) in charter operations between points in Douglas and Sarpy Counties on the one hand, and, on the other hand, points in Nebraska (except points in Douglas and Sarpy Counties) over irregular routes.

RESTRICTIONS: (1) The transportation of railroad train crews and their baggage is not authorized. (2) Governmentally financed transportation of clients of the Nebraska Department of Health and Human Services and/or of private contractors of the Nebraska Department of Health and Human Services such as, but not limited to, FHC Options, Curtis & Associates and Partners, and/or persons in the custody of the Department of Corrections, in their capacity as such clients and/or persons in custody, is not authorized; and (3) Service under Parts (a) and (b) is authorized only if and for so long as Certificate B-1505 remains in effect.

SUPPLEMENT 2

Transportation of passengers and their baggage by bus designed to transport 15 or more passengers, including the driver, between points in Cass, Douglas, Sarpy and Saunders counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: (1) The transportation of railroad train crews and their baggage is not authorized;

(2) governmentally financed transportation of clients of the Nebraska Department of Health and Human Services and/or of private contractors of the Nebraska Department of Health and Human Services such as but not limited to FHC Options and Partners and/or of persons in the custody of the Nebraska Department of Corrections in their capacity as such clients and/or persons in custody is not authorized; and (3)

transportation of passengers and their baggage between Eppley Airfield, on the one hand, and, on the other hand, private residences in Douglas and Sarpy counties is not authorized.

SUPPLEMENT 3

Transportation of passengers and their baggage by sedan, vans and buses between the facilities of Abbott Parking located at 1655 East Locust Street and 1301 East Hartman Avenue in Omaha and Eppley Airfield as a contract carrier for Abbott Parking, Inc., in open class service over irregular routes. RESTRICTION: The

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transportation of railroad train crews and their baggage is not authorized. The foregoing service authorization may not hereafter be expanded.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1687, 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 Eppley Transportation Services, Omaha, Nebraska, in Application B-1687 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-1505, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1687.

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 27th day of June, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald S. Vap
Anne C. Boyle
Rock Johnson

//s// Lowell C. Johnson
//s// Frank E. Landis

Lowell C. Johnson
Chairman

ATTEST:

John Duvall
Deputy Director