

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1705
of Champion Homes of Hastings,)
LLC, Hastings, seeking authority)
as a contract carrier in open)
class service in Nebraska)
intrastate commerce in the)
transportation of passengers and)
their baggage that are clients) GRANTED AS AMENDED
of Champion Homes of Hastings,)
LLC, between points in Adams)
County, on the one hand, and on)
the other hand, points in)
Nebraska over irregular routes.)
HHS Designation: Yes.)
RESTRICTION: The transportation)
of railroad train crews and)
their baggage is not authorized.)
) ENTERED: SEPTEMBER 25, 2007

OPINION AND FINDINGS

By application May 14, 2007, Champion Homes of Hastings, LLC, Hastings, Nebraska, hereinafter referred to as applicant, seeks a Permit to operate as a contract carrier of passengers by motor vehicles as follows:

AUTHORITY SOUGHT

SERVICE AND TERRITORY AUTHORIZED: CONTRACT: Transportation of passengers and their baggage that are clients of Champion Homes of Hastings, LLC, between points in Adams County, on the one hand, and, on the other hand, points in Nebraska over irregular routes by van. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS designation: Yes.

A timely protest to the granting of this application was filed on June 22, 2007, by Prince of the Road, through its attorney, John Boehm. On July 1, 2007, the protest was withdrawn. Application No. B-1705 was then processed pursuant to Rule 018.03 of the Rules of Commission Procedure.

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 service proposed and to conform to the provisions of Neb. Rev. Stat., Sections

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75-301 to 75-322.04, (Reissue 2003), and the requirements, rules and regulations of the Commission thereunder.

2. The proposed intrastate service is or will be required by the present or future public convenience and necessity to the following extent:

PERMIT AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED: CONTRACT: Transportation of passengers and their baggage who are clients of Champion Homes of Hastings, LLC, between points within the city of Hastings, Nebraska. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS DESIGNATION: Yes.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1705, be, and it is hereby granted as amended; and that upon compliance with the terms and conditions set forth in this Order, a Permit shall be issued to Champion Homes of Hastings, Inc., Hastings, Application No. B-1705, authorizing the operations set forth in the foregoing findings.

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), 75-207 (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 the operations until a Certificate of Public Convenience and Necessity is issued.

IT IS FURTHER ORDERED that applicant shall render reasonably continuous and adequate service to the public pursuant to the authority authorized.

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IT IS FURTHER ORDERED that the Certificate of Public Convenience and Necessity authorized 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 25th day of September, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald F. Vep
Tim Schram
Anne C. Burke

Rod Johnson
Chairman

ATTEST:

John Landis
Deputy Director

//s// Rod Johnson

//s// Frank E. Landis