

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1708
of Alton Davis, Lincoln, seeking)
authority as a common carrier in)
Nebraska intrastate commerce in)
the transportation of passengers)
and their baggage by Special)
Party and Charter Bus in the)
state of Nebraska over irregular) GRANTED AS AMENDED
routes. RESTRICTION: Bus to be)
used in the service is to be no)
larger than 36 passenger bus.)
HHS designation: Yes.) ENTERED: JUNE 24, 2008

OPINION AND FINDINGS

By application filed September 14, 2007, Alton Davis, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicles as follows:

AUTHORITY SOUGHT

Transportation of passengers and their baggage by Special Party and Charter Bus in the state of Nebraska over irregular routes. RESTRICTION: Bus to be used in the service is to be no larger than 36 passenger bus. HHS designation: Yes.

Timely protests to the granting of this application were filed on October 24, 2007, by Prince of the Road, through its attorney, John Boehm; on November 2, 2007, by Transport Plus of Lincoln; and, on November 9, 2007, by VIP Limousine, Omaha. On March 11, 2008, a restrictive amendment was filed. All protestants subsequently withdrew their protests. Application No. B-1708 was then 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 service proposed 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

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1708

PAGE 2

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:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED: COMMON: Transportation of passengers and their baggage by Special Party and Charter bus in the state of Nebraska over irregular routes. The transportation of railroad train crews and their baggage is authorized. RESTRICTION: Restricted to the transportation of railroad train crews and their baggage only. Bus to be used in the service is to be no larger than 36 passenger bus. HHS Designation: No.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1708, be, and it is hereby granted as amended; 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 Alton Davis, Lincoln, Nebraska, in Application No. B-1708, 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.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1708

PAGE 3

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.

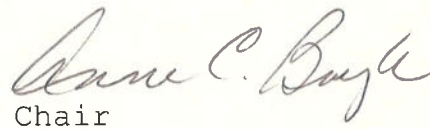
MADE AND ENTERED at Lincoln, Nebraska, this 24th day of June, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Anne C. Boyle
//s//Frank E. Landis


Chair

ATTEST:


Executive Director