

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Leisure) Application No. B-1718
Limousine & Sedan, Inc.,)
Lincoln, seeking to acquire,)
through sale or transfer, the) ORDER GRANTING TRANSFER AND
authority held by O'Rourke &) CANCELLING CERTIFICATE 1262
O'Rourke Buggy Rentals, Inc.,)
d/b/a J & M Limousine, Kearney,)
in Certificate B-1262.) Entered: October 31, 2017

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

By Application filed August 30, 2017, Leisure Limousine and Sedan, Inc. ("Applicant"), Lincoln, seeks to acquire, through transfer, the operating rights granted to O'Rourke and O'Rourke Buggy Rentals, Inc., d/b/a J&M Limousine, (J&M) Kearney, in Certificate B-1262. Notice of the Application was published in The Daily Record, Omaha, on September 4, 2017. Because no protests were filed, Application No. B-1718 was processed pursuant to Rule 018.03 of the Commission Rules of 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 to properly 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 No. B-1262 is not dormant.
4. An amended certificate should be issued in Application No. B-1718 authorizing the acquisition of the following authority:

AUTHORITY AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED: Transportation of passengers by limousine between points in Buffalo County, on the one hand, and, on the other hand,

points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized.

SUPP.1: Passengers by limousine between points in Kearney, Phelps, Dawson, Sherman, Gosper, Custer, Valley, Lincoln, Hayes, Hitchcock, McPherson, Logan, Greeley, Wheeler, Garfield, Loup, Blaine, Howard, Franklin, Harlan, Furnas, Red Willow, Frontier, Thomas, Cherry, Brown, Rock, and Holt Counties, and between points within said counties on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

SUPP.2: Passengers and their baggage (except railroad train crews), by limousine between points in Adams, Arthur, Banner, Box Butte, Cass, Chase, Cheyenne, Clay, Cuming, Dawes, Deuel, Dundy, Fillmore, Gage, Garden, Grant, Hall, Hamilton, Hooker, Jefferson, Johnson, Keith, Keya Paha, Kimball, Knox, Madison, Merrick, Morrill, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Saline, Sarpy, Scotts Bluff, Seward, Sheridan, Sioux, Thayer, Washington, Webster, and York counties over irregular routes.

SUPP.3: Passengers by luxury limousine service between points in Nebraska over irregular routes. RESTRICTION: Transportation of railroad train crews and their baggage is not authorized, Government 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, Partners, and Curtis & Associates, 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. Transportation originating in Douglas County is not authorized.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-1718 be, and is hereby, granted; and that upon compliance with the terms and conditions

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set forth in this Order, an Amended Certificate of Public Convenience and Necessity shall be issued to Leisure Limousine and Sedan, Inc., Lincoln, Nebraska, in Application No. B-1718, 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 No. B-1262 shall be cancelled simultaneously with the issuance of an Amended Certificate of Public Convenience and Necessity in Application No. B-1718.

IT IS FURTHER ORDERED that Applicant shall not be issued the Amended 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. §§ 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Cum. Supp. 2016) 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 an Amended Certificate of Public Convenience and Necessity is issued.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 31st day of October, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Mary Padden

Crystal Broadus

T. S. Jones

//s//Frank E. Landis

//s//Tim Schram

Tim Schram
Chairman

ATTEST:

Steph. Lee

Executive Director