

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Brown's Crew)	APPLICATION NO. B-1723
Car of Wyoming, L.L.C., Omaha,)	
seeking to acquire, through)	
transfer, the authority granted)	TEMPORARY AUTHORITY GRANTED
to Brown's Crew Car of Wyoming,)	
Inc., in Certificate B-1144.)	
)	ENTERED: MAY 28, 2008

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed May 8, 2008, Brown's Crew Car of Wyoming, L.L.C., Lenexa, Kansas, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to Brown's Crew Car of Wyoming, Inc., in Certificate B-1144 which authorizes:

SERVICE AND TERRITORY AUTHORIZED:

COMMON: (A) Burlington Northern employees and their baggage between Lincoln terminal and any point along Burlington Northern Railroad within a 300-mile radius of Lincoln over irregular routes. RESTRICTION: Service within the city limits of Lincoln, to be restricted to the transportation of Burlington Northern employees and their baggage from and to the facilities of Burlington Northern and used in connection with its railroad operation. SUPP. 2: (B) Railroad train crews and their baggage between all points in Nebraska. RESTRICTION: Restricted against the transportation of Union Pacific Railroad employees and their baggage from Omaha to Fremont, and from Fremont, to Omaha. SUPP. 3: Passengers and their baggage, between points in Nebraska over irregular routes. RESTRICTIONS: Restricted against service (a) to, from or between points in Washington, Dodge, Saunders, Douglas, Sarpy and Cass counties performed using taxi cabs, luxury limousines, or vehicles having a rated capacity of less than ten passengers; and (b) to, from or between points in Richardson County; and (c) to railroad train crews and their baggage between Omaha and Fremont. SUPP. 4: Transportation of passengers and their baggage between points in Dodge County, on the one hand, and, on the other hand, points in Nebraska over irregular routes.

In its application, applicant further requested that this Commission grant temporary approval to the applicant of a lease of the motor carrier properties and the certificate sought to be acquired by it. Notice of such request for temporary authority was published in The Daily Record, Omaha, Nebraska, on October 17, 2003, pursuant to the rules and regulations of this Commission.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1723

PAGE TWO

It appears that failure to grant temporary approval may result in destruction of or injury to such motor carrier property and the certificate sought to be acquired, or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

Such temporary approval should be granted for ninety (90) days from the effective date of this Order pursuant to Neb. Rev. Stat. (Reissue 2006), section 75-319.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the application for approval of a lease of the motor carrier properties and the certificate sought to be acquired by Brown's Crew Car of Wyoming, L.L.C, will, and it is hereby, granted to the applicant for ninety (90) days from the effective date of this Order.

IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of Neb. Rev. Stat. (Reissue 2006), section 75-311, and to the rules, regulations and requirements of the Commission; such grant of temporary authority and the operations thereunder shall not be admissible in evidence to establish or prove present or future public convenience and necessity; and no renewal of extension of the period of ninety (90) days shall be granted.

MADE AND ENTERED at Lincoln, Nebraska, this 28th day of May, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



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


Chair

ATTEST:


Executive Director