

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1745
of Johnny Ingram dba Wings of)
Love, LLC, Omaha, seeking,)
authority as a contract carrier)
in the transportation of)
passengers and their baggage by) GRANTED AS AMENDED
van in open class service)
between points in Douglas)
County. HHS Designation: Yes.)
RESTRICTION: The transportation)
of railroad train crews and) ENTERED: APRIL 27, 2010
their baggage is not authorized.)

OPINION AND FINDINGS

By application filed August 24, 2009, Johnny Ingram dba Wings of Love, LLC, Omaha, 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 van in open class service between points in Douglas County. HHS Designation: Yes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

Timely protests to the granting of this application were filed on September 1, 2009, by SMC Shared Mobility Coach and on September 15, 2009, by Prince of the Road through its attorney, John Boehm. On February 25, 2010, an amendment was filed to the original application by the applicant. On February 26, 2010, SMC Shared Mobility Coach and Prince of the Road, through its attorney, John Boehm, withdrew their protests. Application B-1745 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 Commission thereunder.

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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: Transportation of passengers and their baggage by van in open class service between points in Douglas County. HHS Designation: Yes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. The operation of not more than five vehicles will be authorized.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1745, 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 Johnny Ingram dba Wings of Love, LLC, Omaha, Nebraska, in Application Number B-1745, 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 frame from the effective date of this order, with Neb. Rev. Stat. Sections 75-305 (fees), 75-307 (insurance), and 75-308(rates) and with the rules and regulations of the Commission, and if upon the expiration of such time applicant has not complied with the terms and conditions, this order, shall after reasonable notice to the 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 applicant shall render reasonably continuous and adequate service to the public pursuant to the authority authorized.

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.

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MADE AND ENTERED at Lincoln, Nebraska, this 27th day of April, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s// Frank E. Landis
//s// Gerald L. Vap

Chairman



ATTEST:


Executive Director