

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the	) APPLICATION NO. B-1761
Application of Limousine	)
Services, LLC, Lincoln,	)
seeking authority as a common	)
carrier in Nebraska intrastate	)
commerce in the transportation	)
of passengers by luxury	)
limousine between points	)
within a 250-mile radius of	)
Dakota City over irregular	) MOTION FOR REHEARING AND/OR
routes. RESTRICTION: The	) RECONSIDERATION DENIED
transportation of railroad	)
train crews and their baggage	)
is not authorized. The	)
certificate holder shall	)
maintain a listing of its	)
services in the yellow pages	)
of the telephone directory	)
serving Dakota City. Extend	)
the authority by the addition	)
of sedans to vehicles used.	) ENTERED: MAY 8, 2012

For the Applicant:

Limousine Services, LLC:

Andy S. Pollock  
Rembolt Ludtke LLP  
1201 Lincoln Mall, Suite 102  
Lincoln, Nebraska 68508

For the commission staff:

Mark Breiner  
300 The Atrium  
1200 N street  
PO Box 94927  
Lincoln, Nebraska 68509

For the Protestants:

VIP Limousine, A-1  
Transportation, and Alford Oil  
Company, dba Omaha Limousine

Jack L. Shultz  
Harding & Shultz, p.c.  
121 S. 13<sup>th</sup> Street  
Lincoln, NE 68508

BACKGROUND

On this 8<sup>th</sup> day of May, 2012, the Commission considered the Motion for Rehearing and/or Reconsideration filed in the matter of Limousine Services, LLC in Application B-1761.

The Commission entered an Order on April 17, 2012, granting the application of Limousine Services to add sedans to their authority. On April 20, 2012, the Protestants A-1 Transportation and Alford Oil Company filed a Motion for Rehearing and/or Reconsideration. An oral argument was scheduled for May 1, 2012, in the Commission Hearing Room.

At the oral argument, the Protestants stated that they did not believe there was sufficient testimony from public witnesses to support the granting of the application by the Commission. The Protestants argued that most of the witnesses were former employees of the Protestants, and that the lack of said witnesses should have been considered by the Commission in its determination of this matter. The Protestants further stated that they had provided sufficient evidence of the under-utilization of its own services that no finding of public convenience and necessity should be found. The Applicant stated that there was sufficient evidence in the record to support the granting of the application.

OPINION AND FINDINGS

After being fully advised in the premises, the Commission is of the opinion and finds:

1. That the record before it does support the finding of the Commission that there should be a granting of the authority on the basis of public need and necessity.
2. The Motion for Rehearing and/or Reconsideration should be denied.
3. The Commission's order of April 17, 2012, in Application B-1634 should be affirmed.

O R D E R

IT IS, THEREFORE, ORDERED, by the Nebraska Public Service

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Commission that the Motion for Rehearing and/or Reconsideration filed in Application B-1761, be, and it is hereby, denied; and the order of April 17, 2012, entered in Application B-1761, be, and it is hereby affirmed.

MADE AND ENTERED at Lincoln, Nebraska, this 8<sup>th</sup> day of May, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s// Rod Johnson  
//s// Frank Landis

Chairman



ATTEST:

Executive Director



