

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1780
of MTBW, LLC, dba TherAnBac,)
North Platte, seeking authority as)
a common carrier in Nebraska)
intrastate commerce in the)
transportation of passengers and)
their baggage in limousine service)
in open class service, and in)
charter bus service between points) GRANTED
in Lincoln County, and between)
points in Lincoln County, on the)
one hand, and, on the other hand,)
points in Nebraska over irregular)
routes. HHS Designation: No.)
RESTRICTION: The transportation of)
railroad train crews and their)
baggage is not authorized.) ENTERED: DECEMBER 14, 2010

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed September 13, 2010, MTBW, LLC, dba TheranBac, North Platte, hereafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Transportation of passengers and their baggage in limousine service in open class service, and in charter bus service between points in Lincoln County, and between points in Lincoln County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: No. RESETRITION: The transportation of railroad train crews and their baggage is not authorized.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on September 1610, 2002, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1780 was processed pursuant to Rule 018.03 of the rules of procedure of the Commission.

The background check of the applicant, Reggie J. Hendricks, did show that he was charged with driving under the influence on June of 2010. That charge was reduced to a willful reckless

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driving charge, under which Mr. Hendricks was fined \$100 plus court costs. The Commission notes that the charge, while not creating a situation sufficient to find Mr. Hendricks unfit to operate the proposed operation, is one that the Commission will take notice of in future regulation of the applicant.

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 proposed service, and to conform to the provisions of Neb. Rev. Stat., sections 75-301 to 75-322.04, (Reissue 1996), and the requirements, rules and regulations of the Commission thereunder.
2. The proposed intrastate service is or will be required by the following extent:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers and their baggage in limousine service inpen class service, and in charter bus service between points in Lincoln County, and between points in Lincoln County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: No. RESETRICTION: The transportation of railroad train crews and their baggage is not authorized.

3. The application for authority should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1780 be, and it is hereby, granted; 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 MTBW, LLC, dba TherAnBac, North Platte, Nebraska, in Application B-1780, 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), 75-307 (insurance), and 75-308 (rates)(Reissue 1996), and with the rules and regulations of the Commission, and if upon expiration of such time applicant has not

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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 a Certificate of Public Convenience and Necessity is issued.

IT IS FURTHER ORDERED that the operations authorized herein 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 14th day of December, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



Chairman



ATTEST:



Deputy Director



//s// Gerald L. Vap

