

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1786
of NIETO, LLC, Valentine, seeking)
to acquire, through transfer,)
the authority granted to Joyce) GRANTED AND CERTIFICATE
Staman dba Staman Limousine) B-1476 REVOKED
Service, Gordon, in Certificate)
B-1476.)
) ENTERED: APRIL 5, 2011

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed December 29, 2011, NIETO, LLC, Valentine, seeks to acquire, through transfer, the operating rights granted to Joyce Staman dba Staman Limousine Service, Gordon, in Certificate B-1476.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on January 5, 2011, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1786 was 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 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 B-1476 is not dormant.
4. A certificate should be issued in Application B-1786 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers and their baggage by limousine between points in Sheridan, Dawes, and Cherry 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. HHS Designation: No.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1786 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 NIETO, LLC, Valentine, Nebraska, in Application B-1786 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 B-1476, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-1786.

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 2003), 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 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 5th day of April, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Pat Johnson
Bruce Boyle
Maude Lipp

//s//Tim Schram

Tim Schram

Chairman

ATTEST:

John Burstein

Deputy Director