

**BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION**

In the Matter of Triumph ) APPLICATION NO. B-1798  
Transportation dba Prince of )  
the Road, Kearney, seeking to )  
acquire, through transfer, the ) TEMPORARY AUTHORITY GRANTED  
authority granted to R&F )  
Hobbies, Inc., dba Prince of )  
the Road, Kearney, in ) ENTERED: JUNE 1, 2011  
Certificate B-1441, Supplement )  
2. )

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed May 11, 2011, Triumph Transportation dba Prince of the Road, Kearney, Nebraska, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to R&F Hobbies, Inc., dba Prince of the Road, in Certificate B-1441, Supplement 2, which authorizes:

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Transportation of passengers and their baggage in open class service by passenger van, handicapped equipped passenger and cutaway vans, sport utility vehicles and sedans between points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. The transportation of passengers and their baggage point-to-point in Lancaster County is not authorized. The transportation services of passengers and their baggage originating within Lancaster County is not authorized, except for a continuation of a trip originating outside Lancaster County and shown on the same billing document as a continuation of the originating trip. The transportation services of passengers and their baggage by sedan originating from or point-to-point within any territory where a taxicab company holds a certificate of permit is not authorized. RESERVATION: The Commission expressly reserves the right to further restrict this authority with respect to the use of sedans, on its own motion or the motion of another, in the event that a carrier, which meets all of the requirements of Article 75, Chapter 3, of the Nebraska Revised Statutes and all applicable Commission rules and regulations thereunder, offers taxi services in territories unserved as of November 26, 2002.

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 May 19, 2011, pursuant to the rules and regulations of this Commission.

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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 2003), 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 Triumph Transportation dba Prince of the Road, 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 2003), 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 or extension of the period of ninety (90) days shall be granted.

MADE AND ENTERED at Lincoln, Nebraska, this 1<sup>st</sup> day of June, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



Chairman

ATTEST:



Executive Director

//s//Frank E. Landis

//s//Tim Schram