

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Handivan)	APPLICATION NO. B-1808
Transports, Inc., Omaha, seeking)	
authority as a common carrier in)	
Nebraska intrastate commerce in)	
the transportation of passengers)	GRANTED
by wheelchair accessible vans in)	
open class service over irregular)	
routes between points within the)	
Omaha corporate city limits.)	ENTERED: MAY 14, 2013
HHS Designation: Yes.)	

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed December 12, 2011, Handivan Transports, Inc., Omaha, hereinafter 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 by wheelchair accessible vans in open class service over irregular routes between points within the Omaha corporate city limits. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on December 15, 2011 pursuant to the rules of the Commission.

On December 20, 2011, a protest was filed by SMC Shared Mobility Coach; on January 9, 2011, by Prince of the Road; and on January 9, 2011, by Transport Plus of Lincoln. The certificate of SMC Shared Mobility was revoked on May 1, 2012. The protest of Prince of the Road was withdrawn on March 28, 2013, and the protest of Transport Plus of Lincoln was withdrawn on November 16, 2012.

Application B-1808 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:

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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 2003), 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 by wheelchair accessible vans in open class service over irregular routes between points within the Omaha corporate city limits. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes.

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-1808 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 Handivan Transports, Inc., Omaha, Nebraska, in Application B-1808.

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.

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MADE AND ENTERED at Lincoln, Nebraska, this 14th day of May,
2013.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram
Ed Johnson
Gerald L. Cap

//s//Anne C. Boyle
//s//Frank E. Landis

Anne Boyle
Chair

ATTEST:

Steve Meredith
Executive Director

