

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Benstrans,)	APPLICATION NO. B-1855
Chadron, seeking authority)	
as a common carrier in the)	
transportation of passengers)	
by van between points in)	
Dawes, Box Butte, Sheridan and)	
Sioux counties, and between)	
points in said counties, on)	ORDER TO VACATE ORDER OF
the one hand, and, on the)	APRIL 15, 2014
other hand, points in Nebraska)	
over irregular routes. All)	
trips to originate in the said)	
counties. RESTRICTION: The)	
transportation of railroad)	
train crews and their baggage)	
is not authorized. HHS)	
Designation: Yes.)	ENTERED: MAY 13, 2014

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed September 16, 2013, Benstrans, Chadron, 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 van between points in Dawes, Box Butte, Sheridan and Sioux counties, and between points in said counties, on the one hand, and on the other hand, points in Nebraska over irregular routes. All trips to originate in the said counties. 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 October 21, 2013, pursuant to the rules of the Commission.

On April 15, 2014, the Commission entered an Order granting the Application. The Order erroneously cited that there were no Protests filed to the Application. A review of the file shows that a protest was filed by Camelot Transportation, Inc., Grand Island. The protest was filed on October 25, 2013.

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Subsequent to the filing of the protest, the Protestant filed a Motion for Leave to Withdraw Protest and Withdrawal of Protest with the Commission. The Motion was never ruled upon by the Commission.

After due consideration of the evidence and being fully advised in the premises, the Commission is of the opinion and finds that the Order of April 15, 2014, should be vacated.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Order dated April 15, 2014, in Application B-1855 be, and it is hereby, vacated.

MADE AND ENTERED at Lincoln, Nebraska, this 13th day of May, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Kene Doyle

Tim Schram

Deborah

Gerald L. Vap

//s//Frank E. Landis

Frank E. Landis
Chairman

ATTEST:

Steve Meradith
Executive Director