

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)	GRANTED AS AMENDED
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: Yes.)	ENTERED: MAY 20, 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. 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.

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On October 25, 2013, a protest was filed by Camelot Transportation, Inc., through its attorneys, Andrew Pollock and Tara Tesmer Paulson. On November 8, 2013, a Motion For Leave to Withdraw Protest and Withdrawal of Protest was entered. On May 13, 2014, an Order to Vacate the Order of April 15, 2014, and an Order Granting Motion for Leave to Withdraw Protest and Withdrawal of Protest, were entered. Application B-1855 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:

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 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.

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-1855 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 Benstrans, Chadron, Nebraska, in Application B-1855, 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

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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 20th day of May, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram

James Funch
Chairman

Paul Johnson

Gerald L. Vop

ATTEST:

Steve Meredith
Executive Director

//s//Frank E. Landis

