

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Smiley's,	)	Application No. B-1864
Winslow, Nebraska, seeking	)	Supplement 1
authority as a common carrier	)	
in the transportation of	)	
passengers by van between	)	
points in Washington and Dodge	)	
Counties, and between points	)	
in said counties, on the one	)	APPLICATION GRANTED
hand, and, on the other hand,	)	
points in Nebraska over	)	
irregular routes in connection	)	
to Smiley's Bar and Party	)	
Service. RESTRICTION: The	)	
transportation of railroad	)	
train crews and their baggage	)	
is not authorized. HHS	)	
Designation: No.	)	Entered: January 20, 2016

BY THE COMMISSION:

O P I N I O N   A N D   F I N D I N G S

By Application filed November 2, 2016, Smiley's (Applicant), Winslow, 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 Washington and Dodge Counties, and between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes in connection to Smiley's Bar and Party Service. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No.

Notice of the application was published in The Daily Record, Omaha, on November 6, 2015, pursuant to the Rules of the Commission.

Because no protests were filed, Application No. B-1864, Supplement 1, was processed pursuant to Commission Rules of Modified Procedure.

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. §§ 75-301 to 75-322 (Supp. 2015) 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 Washington and Dodge Counties, and between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes in connection to Smiley's Bar and Party Service. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No.

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 No. B-1864, Supplement 1 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 Smiley's, Winslow, in Application No. B-1864, Supplement 1, 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 reasonable time from the effective date of this Order, with NEB. REV. STAT. §§ 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Supp. 2015), 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

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have been, or may hereafter be prescribed by the Commission.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 20<sup>th</sup> day of January, 2016.

COMMISSIONERS CONCURRING:

*Gerald F. Wep*

*Crystal Knodes*

*Reed Johnson*

NEBRASKA PUBLIC SERVICE COMMISSION

*Tim Schram*

Chairman

ATTEST:

*Jeffrey L. Purley*

Executive Director

//s//Frank E. Landis

//s//Tim Schram

