

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Heartland ) APPLICATION NO. B-1890  
Van, LLC, Burbank, South Dakota, )  
seeking authority as a common )  
carrier in Nebraska intrastate )  
commerce in the transportation of )  
passengers by van between points ) GRANTED AS AMENDED  
in Cedar, Dixon, Dakota, )  
and Knox counties. RESTRICTION: )  
The transportation of railroad )  
train crews and their baggage is )  
not authorized. HHS Designation: ) ENTERED: MAY 12, 2015  
Yes.

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed December 4, 2014, Heartland Van, LLC, Burbank, South Dakota, 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 Cedar, Dixon, Dakota, Thurston, and Knox 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 January 5, 2015, pursuant to the rules of the Commission.

On January 8, 2015, a protest was filed by Action Taxi & Limo, Sioux City, Iowa. On March 16, 2015, a restrictive amendment was filed and the protest was withdrawn. Application B-1890 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.

APPLICATION NO. B-1890

PAGE 2

2. The proposed intrastate service is or will be required by the following extent:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of wheelchair clients by van in Dakota, Dixon, Thurston and Wayne counties. Transportation of wheelchair and ambulatory clients in Cedar and Knox 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-1890 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 Heartland Van, LLC, Burbank, South Dakota, in Application B-1890.

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 2014), 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.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

---

APPLICATION NO. B-1890

PAGE 3

MADE AND ENTERED at Lincoln, Nebraska, this 12<sup>th</sup> day of May,  
2015.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Tim Schram*

*Crystal Knodes*

*Dee Jansal*

//s//Frank E. Landis

//s//Gerald L. Vap

*Gerald L. Vap*

Chairman

ATTEST:

*Steve Meredith*

Executive Director

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

---