

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application	)	Application No. B-1904
of Eric Burns, Inc., Omaha,	)	
seeking authority as a common	)	
carrier of passengers by bus	)	
between points on a regular	)	ORDER DISMISSING APPLICATION
route in Douglas County,	)	
Nebraska. The transportation of	)	
railroad train crews and their	)	
baggage is not authorized. HHS	)	
Designation: No.	)	Entered: March 1, 2016

BY THE COMMISSION:

On April 17, 2015, an application was filed by Eric Burns, Inc., Omaha, seeking authority as a common carrier of passengers by bus between points on a regular route in Douglas County. The transportation of railroad train crews and their baggage is not authorized, and the application does not seek HHS Designation. Notice of the application was published in The Daily Record, Omaha, on May 4, 2015.

A protest was timely filed by Checker Cab Company d/b/a Checker Cab, Happy Cab Company, Yellow Cab Company, DonMark, Inc., d/b/a Cornhusker Cab Company, and Valor Transportation Company d/b/a Safeway Cab Company (collectively, Omaha Cab Companies).

A hearing on this matter was scheduled for October 7, 2015, but was continued to a date to be later determined. On October 8, 2015, Applicant's legal counsel withdrew their appearance in this docket. On November 10, 2015, the parties notified the Commission that a resolution had been reached between the parties. On February 9, 2016, the Commission entered an order notifying Applicant of the pending dismissal of its application if the Commission was not informed of Applicant's intentions by February 23, 2016. Subsequent to the entry of the order, Applicant informed the Commission that it does not intend to pursue the application at this time.

Based on the above, the Commission finds that Application No. B-1904 for Eric Burns, Inc., should be dismissed.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-1904 be, and is hereby, dismissed.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 1<sup>st</sup> day of March, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gerald L. ...*  
*Crystal Knacker*  
*Bob Johnson*

*Tim Schram*

Chairman

Attest:

*Jeffrey L. ...*

Executive Director

//s//Frank E. Landis  
//s//Tim Schram