

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of First Choice                    )   Application No. B-1915  
Transport, LLC, Omaha, seeking                )  
authority as an open class                     )  
carrier of passengers by van                    )  
between points in Douglas,                     )  
Sarpy, Lancaster, Washington,                )   ORDER DISMISSING  
Cass, Dodge, Dakota, Hall, York,             )   APPLICATION  
Lincoln and Saunders counties.                )  
RESTRICTION: The transportation                )  
of railroad train crews and                     )  
their baggage is not authorized.                )  
HHS Designation: Yes                            )   Entered: June 16, 2016

BY THE COMMISSION:

On August 26, 2015, an application was filed by First Choice Transport, LLC ("Applicant"), Omaha, seeking authority as a carrier of passengers by van between points in Douglas, Sarpy, Lancaster, Washington, Cass, Dodge, Dakota, Hall, York, Lincoln and Saunders counties. The transportation of railroad train crews and their baggage is not authorized and the HHS Designation is yes. Notice of the application was published in The Daily Record, Omaha, on September 1, 2015.

Protests were timely filed by Transport Plus, Lincoln; Golden Plains Services, Lincoln; MG Taxi, York; Camelot Transportation, Kearney; and Comstock, Inc. d/b/a Action Cab, Grand Island (together, "Protestants").

In October 2015, Applicant contacted the Commission to request time to contact Protestants and negotiate a settlement. In December of 2015, Applicant requested additional time to contact Protestants. Since that time, Applicant has not contacted the Commission nor returned numerous phone calls from Commission staff regarding the status of the application.

On May 10, 2016, the Commission entered an Order of Pending Dismissal requiring Applicant to take action on its application by May 27, 2016, or the application would be dismissed. The Commission has not received any communication from Applicant. Therefore, the Commission finds that Application No. B-1915 for First Choice Transport, LLC, Omaha, should be dismissed for failure to take timely action.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-1915 be, and is hereby, dismissed.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 16<sup>th</sup> day of June, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Crystal Knodes*  
*Rel Hansen*

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

*Tim Schram*

Chairman

Attest:

*Jeffrey L. Puley*

Executive Director