

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Midwest Medivan) Application No. B-1927
Transport Company, LLC, Omaha,)
seeking to operate as a common)
carrier in Nebraska intrastate)
commerce in the transportation of) GRANTED
passengers by van between points)
in Nebraska over irregular)
routes. RESTRICTION: The)
transportation of railroad train)
crews and their baggage is not)
authorized. HHS Designation: No.) Entered: October 4, 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 April 22, 2016, Midwest Medivan Transport Company, LLC ("Applicant"), Omaha, seeks to operate as a common carrier of passengers by motor vehicle as follows:

CERTIFICATE SOUGHT

Transportation of passengers by van between points in Nebraska over irregular routes. 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, Nebraska, on April 28, 2016. Timely protests were filed by Golden Plains Services, Inc. d/b/a GPS Transportation ("GPS"), Camelot Transportation, Inc. ("Camelot"), and Triumph Transportation, Inc. ("Triumph", together with GPS and Camelot, "Protestants").

A planning conference was held on June 15, 2016, to discuss a procedural schedule and set a hearing date. Hearing was scheduled on this matter for September 21, 2016, at the Commission. Prior to the hearing, Applicant and Protestants agreed that Applicant would restrict its service to the provision of only wheelchair service. Pursuant to the agreement of the parties, Protestants withdrew their protests.

After due consideration of the evidence and being fully advised in the premises, the Commission is of the opinion and finds:

1. Applicant is able properly to conform to applicable provisions of NEB. REV. STAT. §§ 75-301 to 75-322.04,

(Supp. 2015), and the requirements, rules and regulations of the Commission thereunder.

2. Upon compliance 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, a Certificate of Compliance should be issued as proposed:

CERTIFICATE AUTHORIZED

Transportation of passengers by van between points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Restricted to the use of wheelchair transportation only. 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-1927 be, and it is hereby, granted; and that upon compliance with the terms and conditions set forth in this Order, a Certificate of Compliance shall be issued to Midwest Medivan Transport Company, LLC, Omaha, Nebraska, in Application No. B-1927, authorizing the operations set forth in the foregoing findings.

IT IS FURTHER ORDERED that Applicant shall not be issued the Certificate of Compliance authorized by the Commission unless and until Applicant has fully complied, within ninety (90) days 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 Compliance 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.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 4th day of October, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



Chairman

ATTEST:



Executive Director



//s// Frank E. Landis

//s// Tim Schram