

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Big A ) Application No. B-1942  
Holdings, LLC d/b/a OMALiNK, )  
Lincoln, seeking to acquire, )  
through transfer, the authority ) ORDER GRANTING TRANSFER AND  
held by Groome Transportation, ) CANCELLING CERTIFICATE B-1854  
Inc., Sandston, Virginia, in )  
Certificate B-1854. )  
) Entered: January 10, 2017

BY THE COMMISSION:

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

By application filed September 30, 2016, Big A Holdings, LLC d/b/a OMALiNK, Lincoln ("Applicant"), seeks approval of the acquisition of the operating rights and authority granted to Groome Transportation, Inc., Sandston, Virginia, in Certificate B-1854, which authorizes:

SERVICE AND TERRITORY AUTHORIZED: Transportation of passengers and their baggage over regular routes between Lincoln and Omaha over Interstate Highway I-80 serving facilities immediately adjacent to all intermediate exists as intermediate points. RESTRICTIONS: (1) Service from Lincoln Municipal Airport Terminal to Eppley Air Field in Omaha is not authorized; (2) Service from Lincoln under contract with any airline is not authorized; and (3) Point to point service wholly within Lincoln is not authorized.

SUPPLEMENT 1: Transportation of passengers and their baggage in Limousine service between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

SUPPLEMENT 2: Transportation of passengers and their baggage in open class service in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Douglas County. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. Restricted against the use of sedans. HHS Designation: No.

SUPPLEMENT 3: COMMON: Passengers and their baggage by chauffeur-driven motor home between points in Douglas, Sarpy, and Lancaster counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. SUPP. 1: Passengers and their baggage by chauffeur-driven van between points in Douglas, Sarpy, and Lancaster counties over irregular routes.

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RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

SUPPLEMENT 2(a) Transportation of passengers as a common carrier in Nebraska intrastate commerce in open class service by double-decker bus with a rated seating capacity of 60 passengers or greater between points in Douglas, Sarpy, and Lancaster counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes in buses. RESTRICTION: The transportation of passengers and their baggage from points originating in Lancaster County is not authorized.

Notice of the Application was published in The Daily Record, Omaha, on October 11, 2016. On October 25, 2016, the Commission entered an Order granting Applicant temporary authority to operate under Groome Transportation's Certificate of Authority for ninety (90) days. On November 21, 2016, an order was entered granting the Protest of Leisure Limousine & Sedan, Inc. ("Protestant").

A planning conference was held on December 7, 2016, which set a procedural schedule and hearing for December 21, 2016. Subsequent to the planning conference, Protestant withdrew its protest on December 20, 2016. The application was then processed pursuant to Rule 018.03 of Commission Rules of 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 to properly perform the proposed extended service.
2. The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
3. The certificate issued in Application No. B-1905 is not dormant.
4. A certificate should be issued in Application No. B-1939 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED: Transportation of passengers and their baggage over regular routes between Lincoln and Omaha over Interstate Highway I-80 serving facilities immediately adjacent to all intermediate

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exists as intermediate points. RESTRICTIONS: (1) Service from Lincoln Municipal Airport Terminal to Eppley Air Field in Omaha is not authorized; (2) Service from Lincoln under contract with any airline is not authorized; and (3) Point to point service wholly within Lincoln is not authorized.

SUPPLEMENT 1: Transportation of passengers and their baggage in Limousine service between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

SUPPLEMENT 2: Transportation of passengers and their baggage in open class service in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Douglas County. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. Restricted against the use of sedans. HHS Designation: No.

SUPPLEMENT 3: COMMON: Passengers and their baggage by chauffeur-driven motor home between points in Douglas, Sarpy, and Lancaster counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. SUPP. 1: Passengers and their baggage by chauffeur-driven van between points in Douglas, Sarpy, and Lancaster counties over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

SUPPLEMENT 2(a) Transportation of passengers as a common carrier in Nebraska intrastate commerce in open class service by double-decker bus with a rated seating capacity of 60 passengers or greater between points in Douglas, Sarpy, and Lancaster counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes in buses. RESTRICTION: The transportation of passengers and their baggage from points originating in Lancaster County is not authorized.

# O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-1942 be, and is hereby, granted; and that upon compliance with the terms and conditions set forth in

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this Order, a Certificate of Public Convenience and Necessity shall be issued to Big A Holdings, LLC, d/b/a OMALiNK, Lincoln, Nebraska, in Application No. B-1942, authorizing the operations set forth in the foregoing findings; and that to avoid a lapse of authority, the Certificate of Public Convenience and Necessity issued in Application No. B-1854 shall be cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application No. B-1942.

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 FINALLY ORDERED that Applicant shall not conduct operations until a Certificate of Public Convenience and Necessity is issued.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 10<sup>th</sup> day of January, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Mary Ridd*  
*Crystal Knudsen*  
*Frank E. Landis*  
//s//Frank E. Landis  
//s//Tim Schram

*Tim Schram*  
Chairman

ATTEST:

*Sally L. Pulley*  
Executive Director