

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Black Diamond     ) Application No. B-1951  
S&S, Scottsbluff, seeking to     )  
acquire, through sale or            ) ORDER GRANTING TRANSFER AND  
transfer, the authority granted     ) CANCELLING CERTIFICATE B-1838  
to Blue Collar Limo Service,        )  
Bayard, in Certificate B-1838.     ) Entered: May 16, 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 March 9, 2017, Black Diamond S&S ("Applicant"), Scottsbluff, seeks to acquire, through transfer, the operating rights granted to Blue Collar Limo Service ("Blue Collar"), Bayard, in Certificate B-1838. Notice of the Application was published in The Daily Record, Omaha, on March 16, 2017. Because no protests were filed, Application No. B-1951 was processed pursuant to Rule 018.03 of the 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-1838 is not dormant.
4. A certificate should be issued in Application No. B-1951 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED: Transportation of passengers by limousine in Morrill, Scotts Bluff, Banner, Kimball, Cheyenne, Garden, Box Butte, Sheridan, and Sioux Counties, and between points within such counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes.  
RESTRICTIONS: The transportation of railroad train

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. B-1951

Page 2

crews and their baggage is not authorized. HHS  
Designation: No.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-1951 be, and 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 Black Diamond S&S, Scottsbluff, Nebraska, in Application No. B-1951, 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-1838 shall be cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application No. B-1951.

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) (Cum. Supp. 2016) 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.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 16<sup>th</sup> day of May, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Mary Rides*  
*Crystal Knodes*

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

*Tim Schram*  
Chairman

ATTEST:

*Jeffrey L. Peltz*

Executive Director