

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of )	APPLICATION NO. M-12916
Fitch Trucking, Inc., Bennet, Nebraska, )	Supplement No. 4
seeks to extend the authority as a )	
common carrier in Nebraska intrastate )	
commerce granted in Certificate/Permit )	GRANTED AS AMENDED
M-12916 and supplements thereto in the )	
transportation of carbon dioxide between )	
points in Nebraska over irregular )	
routes. )	ENTERED: July 17, 1990

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed March 4, 1990, Fitch Trucking, Inc., Lincoln, Nebraska hereinafter referred to as applicant, seeks to extend present authority in the Certificate of Public Convenience and Necessity issued in Application No. M-12916, as follows:

AUTHORITY SOUGHT

Transportation of carbon dioxide between points in Nebraska over irregular routes.

Notice of the above-caption application was published in The Daily Record, Omaha, Nebraska, on March 12, 1990 pursuant to the rules and regulations of the Nebraska Public Service Commission pertaining to notice.

A timely protest to the granting of this application was filed on June 2, 1990 by Herman Bros., Inc., through its attorney, James E. Ryan. Protest was subsequently withdrawn on June 4, 1990. Application No. M-12916, Supplement No. 4 was then processed pursuant to Rule 018.03 of the Rules and Regulations of the Nebraska Public Service Commission.

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 properly to perform the extended service as a contract carrier by motor vehicle, and to conform to the provisions of Sections 75-301 to 75-322.04, R.R.S. 1943, as amended, and the requirements, rules and regulations of the Commission thereunder, and that the proposed operation, to the extent authorized by the permit, will be consistent with the public interest.
2. That a permit should be issued in Application No. M-12916, Supplement No. 4 authorizing the following operations:

Application No. M-12916, Supp. 4

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PERMIT AUTHORIZED

SUPPLEMENT NO. 1

SERVICE AND TERRITORY AUTHORIZED:

Transportation of carbon dioxide between points in Nebraska over irregular routes under continuing contract(s) with Lincoln Welding Supply Co.

3. That the application for extension should be granted as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. M-12916, Supplement No. 4 be, and it is hereby, granted as amended; and that upon compliance with the terms and conditions set forth in this order, a contract carrier permit shall be issued to Fitch Trucking, Inc., Lincoln, Nebraska in Application No. M-12916, Supplement No. 4, authorizing the extended operations set forth in Paragraph No. 2 of the foregoing findings.

IT IS FURTHER ORDERED that Applicant shall not be issued the contract carrier permit authorized by the Commission unless and until applicant has fully complied, within a reasonable time from the effective date of this order, with Sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates), R.R.S. 1943, as amended, 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 render reasonably continuous and adequate service to the public pursuant to the extended authority authorized.

IT IS FURTHER ORDERED that the permit authorized shall be subject to the terms, conditions, and limitations which have been, or may hereafter be, prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska this 17th day of July, 1990.

COMMISSIONERS CONCURRING:

*Duane D. Gay*

//s//Frank E. Landis, Jr.

//s//James Munnelly

//s//Eric Rasmussen

//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

*Daniel G. Urwiller*

Chairman

ATTEST:

*John Survanis*

Acting Executive Director