

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of	)	APPLICATION NO. M-13722
Deitloff Transfer, Inc., Norfolk,	)	
Nebraska, which seeks to acquire	)	
through transfer the authority as a	)	TEMPORARY AUTHORITY
common carrier in Nebraska intrastate	)	GRANTED
commerce granted to Ervin H. Deitloff,	)	
dba Deitloff Transfer in Certificate	)	
M-13548 and supplement thereto.	)	ENTERED: January 3, 1991

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed December 24, 1990, Deitloff Transfer, Inc., Norfolk, Nebraska, hereinafter referred to as Applicant, seeks approval of the acquisition of the operating rights and authority in Application No. M-13548, of Ervin H. Deitloff, dba Deitloff Transfer whose certificate of public convenience and necessity authorizes:

SERVICE AUTHORIZED:

REGULAR ROUTES:

SERVICE AND TERRITORY AUTHORIZED:

Commodities generally except those requiring special equipment. Regular routes: (1) Between Springview and Omaha via US-183 to US-20 to US-275 to Omaha; intermediate points to be served: Emmet, Atkinson, Stuart, Newport, O'Neill, Bassett, Riverview, Fremont and Norfolk, with no service between Fremont and Omaha, or between Norfolk and Omaha, or between Fremont, and Norfolk; off-route points to be served are Norden, Meadville, and Burton. (2) Between Springview and O'Neill via US-183 to NE-12, to US-281, to O'Neill serving all intermediate points. (3) Between Chambers and Omaha via NE-95 to US-281 to NE-70, to Elgin, NE-14 to NE-39 to NE-22 to US-30 to Fremont, US-275 to Omaha. Alternate Route: From Elgin via NE-14 to US-275 to Omaha serving the off-route points of O'Neill and Bartlett. (4) Between Chambers and Grand Island via NE-95 to US-281 to Grand Island with service to Bartlett serving the off-route points of Amelia, Inman, Page, and O'Neill.

IRREGULAR ROUTES:

SERVICE AND TERRITORY AUTHORIZED:

(1) Commodities generally, except those requiring special equipment other than dump bodies from Holt, Boyd, Rock, Loup, Garfield, Wheeler, Antelope and Knox counties, on the one hand, and, on the other hand, Atkinson, Bassett, Ewing, occasionally Fremont, Omaha, Scottsbluff and points generally throughout the state on a state-wide-basis.

(2) Commodities generally except those requiring special equipment between points within a 15-mile radius of Chambers, and between points within said radial area on the one hand, and, on the other hand, Omaha and intermediate points over irregular routes.

(3) Gasoline, fuel oil, tractor fuel and kerosene (restricted against transportation of propane) from any refinery or pipeline terminal in Nebraska to Chambers Corner, located at the junction of NE-95 and US-281. Restriction: No service authorized under irregular route (3) will be performed to or from Chambers.

Application No. M-13722

Page Two

## SUPPLEMENT NO. 1

## SERVICE AND TERRITORY AUTHORIZED:

Commodities generally except those requiring special equipment. Between points and places within a 10-mile radius of Enola, and between said radial area on the one hand, and on the other hand, points and places throughout the State of Nebraska, over irregular routes.

In its application, Applicant further requested that this Commission grant temporary approval to the Applicant of a lease of the motor carrier properties and the certificate sought to be acquired by it. Notice of such request for temporary authority was published in The Daily Record, Omaha, Nebraska, on December 27, 1990, pursuant to the rules and regulations of this Commission pertaining to notice.

It appears that failure to grant temporary approval may result in destruction of or injury to such motor carrier property and the certificate sought to be acquired, or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

Such temporary approval should be granted for ninety (90) days from the effective date of this Order pursuant to 75-319, R.R.S. 1943, as amended.

## O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the application for approval of a lease of the motor carrier properties and the certificate sought to be acquired by Deitloff Transfer, Inc., Norfolk, Nebraska be, and it is hereby, granted to the Applicant for ninety (90) days from the effective date of this Order.

IT IS FURTHER ORDERED that transportation service rendered under such temporary authority shall be subject to the provisions of 75-101 to 75-801, R.R.S. 1943, as amended, and to the rules, regulations and requirements of the Commission; such grant of temporary authority and the operations thereunder shall not be admissible in evidence to establish or prove present or future public convenience and necessity; and no renewal or extension of the period of ninety (90) days shall be granted.

MADE AND ENTERED at Lincoln, Nebraska this 3rd day of January, 1991.

COMMISSIONERS CONCURRING:

*Dwain 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 R. King*  
Executive Director