

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION M-13766
Lincoln Storage & Transfer, Inc., Lincoln,)
Nebraska, which seeks to acquire, through) GRANTED AND CERTIFICATE
purchase, the authority as a common car-) AND PERMIT IN M-12070,
rier granted to Lincoln Moving & Storage,) REVOKED
Inc., in Certificate M-12070 and supple-)
ment thereto.) ENTERED: October 15, 1991

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed August 1, 1991, Lincoln Storage & Transfer, Inc., Lincoln, Nebraska, seeks to acquire the operating rights granted to Lincoln Moving & Storage, Inc. in the Certificate of Public Convenience and Necessity and the Contract Carrier Permit issued in Application M-12070 and supplement thereto.

Notice of the application was published in The Daily Record, Omaha, Nebraska on August 2, 1991, pursuant to the rules of the Commission.

Since no protest was filed, Application M-13766, was processed pursuant to Rule 018.03 of the rules of the 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 proposed service.
2. The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
3. The certificate and permit issued in Application M-12070, are not dormant.
4. A certificate and permit should be issued in Application M-13766, authorizing the following operations:

CERTIFICATE AND PERMIT AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

- A. Office equipment and fixtures, business machines, and telephone and switch equipment between points in Nebraska over irregular routes.
 - B. General commodities (except commodities in bulk) between points in Nebraska over irregular routes under continuing contract with Sears Roebuck & Co.
5. The certificate and permit issued in Application M-12070 should be revoked and cancelled.

Application M-13766

Page Two

O R D E R

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application M-13766 be, and it is hereby, granted; and that upon compliance with the terms and conditions set forth in this Order, a Certificate of Public Convenience and Necessity and a Contract Carrier Permit shall be issued to Lincoln Storage & Transfer, Inc., Lincoln, Nebraska, in Application M-13766, authorizing the operations set forth in Paragraph No. 4 of the foregoing findings; and that to avoid a lapse in authority, the Certificate of Public Convenience and Necessity and the Contract Carrier Permit issued in Application M-12070 and supplement thereto shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity and Contract Carrier Permit in Application M-13766.

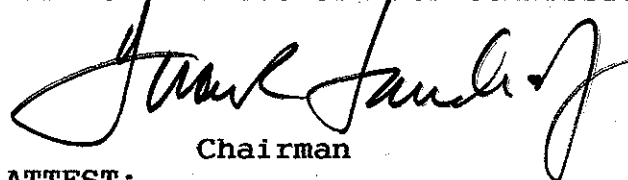
IT IS FURTHER ORDERED that Applicant shall not be issued the Certificate of Public Convenience and Necessity or the Contract Carrier Permit authorized by the Commission unless and until Applicant has fully complied, within a reasonable time from the effective date of this Order, with Sections 75-305 (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 not conduct operations until a Certificate of Public Convenience and Necessity and Contract Carrier Permit are issued.

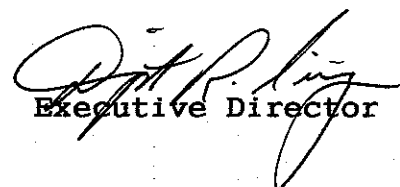
IT IS FURTHER ORDERED that the operations authorized herein shall be subject to the terms, conditions, and limitations which have been, or may hereafter be prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska this 15th day of October, 1991.

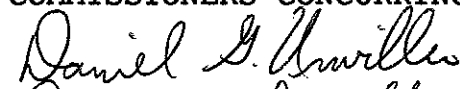
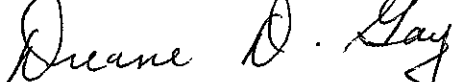
NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

COMMISSIONERS CONCURRING:

//s//Frank E. Landis, Jr.
//s//James F. Munnelly
//s//Eric Rasmussen