

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Mack Moving & Storage, Holdrege, seeking to acquire, through transfer, the authority granted to Distribution, Inc., Lincoln, in Certificate M-14164.) APPLICATION NO. M-14129) SUPPLEMENT 1) GRANTED AND CERTIFICATE M-14164 REVOKED) ENTERED: MARCH 5, 2002

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed January 4, 2002, Mack Moving and Storage, Holdrege, Nebraska, seeks to acquire, through transfer, the operating rights granted to Distribution, Inc., Lincoln, in Certificate M-14164.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on January 8, 2002, pursuant to the rules of the Commission.

Since no protest was filed, Application No. M-14129, Supplement 1, was processed pursuant to Rule 018.03 of the rules of procedure 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 issued in Application M-14164 is not dormant.
4. A certificate should be issued in Application M-14129, Supplement 1, authorizing the following operations.

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Transportation of household goods between points in Nebraska over irregular routes.

5. The certificate issued in Application M-14164 should be revoked and cancelled.

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O R D E R

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application M-14129, Supplement 1, 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 shall be issued to Mack Moving and Storage, Holdrege, Nebraska, in Application M-14129, Supplement 1, authorizing the operations set forth in the foregoing findings; and that to avoid a lapse in authority, the Certificate of Public Convenience and Necessity issued in Application M-14164 shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application M-14129, Supplement 1.

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. sections 75-303 (fees), 75-307 (insurance), and 75-308 (rates), Reissue 1996), 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.

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 5th day of March, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Francis J. Landis
Guadalupe L. Vaz
Robert J. Johnson

Anne C. Boyle
Chair

ATTEST:

Ad J. Pollack
Executive Director

//s//Anne C. Boyle
//s//Frank E. Landis