

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) APPLICATION NO. M-14136
Ace Storage & Transfer, Omaha, seeking)
to acquire, through transfer, the)
authority as a common carrier in) GRANTED AND
Nebraska intrastate commerce granted to) CERTIFICATE M-11308 REVOKED
Ace Moving & Storage Co., Inc., in)
Certificate M-11308.) ENTERED: MAY 28, 1997

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 2, 1997, Ace Storage & Transfer, Inc., Omaha, Nebraska, seeks to acquire, through transfer, the operating rights granted to Ace Moving & Storage Co., Inc., in Certificate of Public Convenience and Necessity M-11308.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on April 3, 1997, pursuant to the rules of the Commission.

Since no protests to the granting of this application were filed, Application M-14136 was then 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-11308 is not dormant.
4. A certificate should be issued in Application M-14136 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

(A) Household goods between points within a 15-mile radius of LaPlatte, and between points within said radial area, on the one hand, and on the other hand, points in Nebraska over irregular routes. (B) Household goods between points in Cass, Dodge, Douglas, Gage, Lancaster, Otoe, Saunders, Sarpy, and Washington counties over irregular routes. (C) Household goods between points in Butler, Jefferson, Saline, and Seward counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes.

APPLICATION NO. M-14136

PAGE TWO

5. The certificate issued in Application M-11308 should be revoked and cancelled.

O R D E R

IT IS, THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application M-14136 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 Ace Storage & Transfer, Inc., in Application M-14136 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 issued in Application M-11308 shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application M-14136.

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 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 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 28th day of May, 1997.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Arne C. Boyle

//s//Rod Johnson

//s//Frank E. Landis

//s//Daniel G. Urwiller

Chairman

John Johnson

ATTEST:

Robert B. Logsdon
Executive Director