

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Mack Moving and Storage LLC dba Mack Moving and Storage, Holdrege, seeking to change an existing operation through transfer and change an existing operation through merger in Certificates M-14129 and M-14127. ) APPLICATION NO. M-14174  
)  
) GRANTED AND AUTHORITY IN  
) M-14129 and M-14127 REVOKED  
)  
) ENTERED: July 9, 2002

BY THE COMMISSION:

### OPINION AND FINDINGS

By application filed on April 9, 2002, Mack Moving and Storage, LLC dba Mack Moving and Storage, Holdrege, hereinafter referred to as applicant, seeks approval of the acquisition of the operating rights and authority granted to Mack Moving and Storage, Holdrege, in Certificate M-14129 and to merge with the authority granted to Kearney Moving Service, Kearney, in Certificate M-14127.

Applicant seeks approval through the transfer of authority granted to Mack Moving and Storage in Certificate M-14129 which reads as follows: Household goods between points in Nebraska over irregular routes. Applicant further seeks approval to merge the authority granted to Kearney Moving Service in Certificate M-14127 which reads as follows: Household goods between points in and within a five-mile radius of Kearney over irregular routes. After the transfer and merger of certificates, the applicant would obtain the authority, infra, under one certificate numbered M-14174, and Certificates M-14129 and M-14127 would thereafter be cancelled.

### AUTHORITY SOUGHT

COMMON: Household goods between points in and within a five-mile radius of Holdrege over irregular routes. SUPP. 1: transportation of household goods between points in Nebraska over irregular routes. Household goods between points in and within a five-mile radius of Kearney over irregular routes.

Notice of the above-captioned application was published in the Daily Record, Omaha, Nebraska, on May 13, 2002, pursuant to the rules of the Commission. As no protests were filed, Application M-14174 was then processed pursuant to Rule 018.03 of the rules of procedures 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 service proposed and to conform to the provisions of Neb. Rev. Stat., Sections 75-301 to 75-322.04 (Reissue 1996), and the requirements, rules and regulations of the Commission thereunder.
2. The proposed intrastate service is or will be required by the present or future public convenience and necessity to the following extent.

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APPLICATION NO. M-14174

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CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

COMMON: Household goods between points in and within a five-mile radius of Holdrege over irregular routes. SUPP. 1: Transportation of household goods between points in Nebraska over irregular routes. Household goods between points in and within a five-mile radius of Kearney over irregular routes.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. M-14174, be, and it is hereby granted; and that upon compliance with terms and conditions set forth in this Order, a Certificate of Public Convenience and Necessity shall be issued to Mack Moving & Storage LLC dba Mack Moving and Storage, Holdrege, Nebraska, in Application M-14174 authorizing the operations set forth in the foregoing findings; and that to avoid a lapse of authority, the Certificate of Public Convenience and Necessity issued in Application M-14129 and M-14127, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application M-13174.

IT IS FURTHER ORDERED that applicant shall not be issued the Certificate of Public Convenience and Necessity authorized by the Commission unless and until the applicant has fully complied, within a reasonable time from the effective date of this Order, with Neb. Rev. Stat., Sections 75-305 (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.


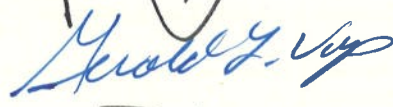
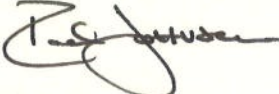
IT IS FURTHER ORDERED that applicant shall not conduct the operations until a Certificate of Public Convenience and Necessity is issued.

IT IS FURTHER ORDERED that applicant shall render reasonably continuous and adequate service to the public pursuant to the authority authorized.

IT IS FURTHER ORDERED that the Certificate of Public Convenience and Necessity 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 9<sup>th</sup> day of July, 2002.

COMMISSIONERS CONCURRING:

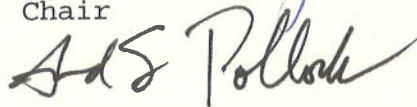
  
  


//s//Anne C. Boyle  
//s//Frank E. Landis

NEBRASKA PUBLIC SERVICE COMMISSION

  
Chair

ATTEST:

  
Executive Director