

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. M-14208
of Jason D. Peterson dba Transfer)
88, seeking to acquire, through)
transfer, the authority granted) GRANTED AND CERTIFICATE
to Kenny Morton dba Transfer 88,) M-14141 REVOKED
in Certificate M-14141.)
ENTERED: NOVEMBER 10, 2009

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed September 11, 2009, Jason D. Peterson dba Transfer 88, Blair, hereinafter referred to as applicant, seeks to acquire, through transfer, the authority granted to Kenny Morton dba Transfer 88, Omaha, in Certificate M-14141.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on September 14, 2009, pursuant to the rules of the Commission.

Because no protests were filed, Application M-14208 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, and to conform to the provisions of Neb. Rev. Stat., sections 75-301 to 75-322.04, (Reissue 2003), and the requirements, rules and regulations of the Commission thereunder.
2. The proposed intrastate service will be consistent with the public interest and will not unduly restrict competition.
3. The certificate issued in Application M-14141 is not dormant.
4. A certificate should be issued in Application M-14208 authorizing the following operations:

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. M-14208

PAGE 2

CERTIFICATE AUTHORIZED

COMMON: Transportation of household goods between points in and within a five-mile radius of Omaha, Nebraska, over irregular routes.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application M-14208 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 Jason D. Peterson dba Transfer 88, Blair, Nebraska, in Application M-14208 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-14141, shall be revoked and canceled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application M-14208.

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 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Reissue 2003), 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.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. M-14208

PAGE 3

MADE AND ENTERED at Lincoln, Nebraska, this 10th day of
November, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

David J. Vap

Reed Johnson

Anne C. Doyle

Tim Schram

//s//Frank E. Landis

Frank E. Landis
Chairman

ATTEST:

Shirley A. Phillips
Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

