

Dismissal
Investigation Petition PI-1

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In Re Wayne F. Rowe, Director)	Dismissal of Petition
of Nebraska Public Service)	and Final Order Entered
Commission Transportation)	
Department,)	Petition for
Relator,)	Commission
)	Investigation PI-1
vs.)	Dismissed by
)	Joint Stipulation
Seraaj Family Homes, Inc.,)	
Respondent.)	ENTERED: December 10, 1991

BY THE COMMISSION:

OPINION AND FINDINGS

In the matter of Relator Wayne F. Rowe versus Respondent Seraaj Family Homes, Inc., the parties have entered into a joint stipulation agreement in determination of whether the operations of Respondent addressed in Relator's petition are intrastate common carriage subject to the provisions of the Nebraska Motor Carrier Act.

Said stipulation agreement is attached hereto, marked as Exhibit "A" and incorporated herein by reference.

Based upon the stipulation of the parties, the Nebraska Public Service Commission finds:

1. Respondent admits that its transportation operations are not exempt from regulation by the Nebraska Public Service Commission. The Respondent currently possesses no operating authority issued from the Commission and on November 11, 1991, withdrew its application (No. B-1312) for a permit seeking authority as a contract carrier in the transportation of passengers and their baggage between points in Douglas and Sarpy counties and points in Nebraska over irregular routes.
2. Respondent understands that it must cease all operations involving the intrastate transportation of passengers for hire in Nebraska until such time as it may receive authority to do so from the Commission upon approval of any future application submitted by the Respondent.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the departmental petition for investigation

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PI-1 be dismissed as the department's questions have been satisfied by the stipulated agreement between the parties.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission pursuant to Title 291, Chapter 1, Rule 012.03, that the Respondent, Seraaj Family Homes, Inc., hereby cease and desist in transporting passengers for hire and operating without authority from the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 10th day of December, 1991.

NEBRASKA PUBLIC SERVICE COMMISSION



Daniel G. Urwiller, Vice-Chairman

ATTEST:



Dwight Wininger, Executive Director

COMMISSIONERS CONCURRING:

//s//Duane D. Gay
//s//James F. Munnelly
//s//Eric Rasmussen
//s//Daniel G. Urwiller