

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1645
of R & A Transport, LLC, York,) SUPPLEMENT 1
seeking authority as a common)
carrier in Nebraska intrastate)
commerce in the transportation of)
passengers and their baggage) GRANTED AS AMENDED
by sedan and van between all)
points in Nebraska over irregular)
routes. RESTRICTION: The)
transportation of railroad)
train crews and their baggage) ENTERED: JULY 12, 2011
is not authorized. HHS)
Designation: Yes.)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 20, 2011, R & A Transport, LLC, York, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Transportation of passengers and their baggage by sedan and van between all points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on April 26, 2011, pursuant to the rules of the Commission.

On May 2, 2011, a protest was filed by Fairbury Taxi, LLC, and Servant Cab Company; on May 3, 2011, a protest was filed by Yellow Cab & Limo, Inc; on May 5, 2011, Transport Plus of Lincoln, Inc., and on May 18, 2011, by Checker Cab Company, DonMark, Inc., dba Cornhusker Cab Company, Happy Cab Company, Safeway Cab Company and Yellow Cab Company, through their attorney, Andy Pollock. On July 6, 2011, the protest of Servant Cab Company was withdrawn. On July 11, 2011, the protests filed by Fairbury Taxi, LLC, the Omaha Cab Companies, Yellow Cab & Limo, Inc., and Transport Plus were withdrawn. Application B-1645, Supplement 1, 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, 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 is or will be required by the following extent:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers and their baggage by sedan and van between all points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. Further restricted against transportation originating in Cass, Dodge, Douglas, Sarpy, Saunders, and Washington counties except that authority already allowed to the applicant for passengers and their baggage originating at or destined to Epworth Village, Inc. Further restricted against transportation originating and terminating in the same trip in Lancaster, Gage, Johnson, Pawnee, and Richardson counties, except that authority already allowed to the applicant for passengers and their baggage originating at or destined to Epworth Village, Inc. Further restricted against transportation originating in Jefferson, Saline, and Thayer counties except that authority already allowed to the applicant for passengers and their baggage originating at or destined to Epworth Village, Inc.

3. The application for authority should be granted as amended.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1645, 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 R & A Transport, LLC, York, Nebraska, in Application B-1645, Supplement 1.

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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.

MADE AND ENTERED at Lincoln, Nebraska, this 12th day of July, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rad J. ...
Ann Bayle
Gerald L. ...

//s//Frank E. Landis
//s//Tim Schram

Tim Schram
Chairman

ATTEST:

Phil ...
Executive Director

SECRETARY'S RECORD