

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) APPLICATION NO. B-1771
of Larry Schmidt dba Your Own) SUPPLEMENT 2
Limousine, Kearney, seeking)
authority as a common carrier in)
Nebraska intrastate commerce in)
the transportation of passengers)
and their baggage by limousine) GRANTED AS AMENDED
between points in Furnas, Red)
Willow, Frontier, Lincoln, Valley,)
Greeley, Boone, Nance, Polk,)
Fillmore, Thayer, Nuckolls,)
Webster, Blaine, Loup, and)
Garfield counties and between)
points within said counties, on) ENTERED: AUGUST 9, 2011
the one hand, and, on the other)
hand, points in Nebraska over)
irregular routes. RESTRICTION: The)
transportation of railroad train)
crews and their baggage is not)
authorized. HHS Designation: No.)

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed June 22, 2011, Larry Schmidt dba Your Own Limousine, Kearney, 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 in limousine service between points in Furnas, Red Willow, Frontier, Lincoln, Valley, Greeley, Boone, Nance, Polk, Fillmore, Thayer, Nuckolls, Webster, Blaine, Loup, and Garfield counties and between points within said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.
HHS Designation: No.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on June 28, 2011, pursuant to the rules of the Commission.

On June 28, 2011, a protest was filed by Night Life Limousine, LLC. On July 26, 2011, applicant filed a restrictive amendment. On July 26, 2011, the protest was withdrawn. Application B-1771, Supplement 2, 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 in limousine service between points in Furnas, Red Willow, Frontier, Lincoln, Valley, Greeley, Boone, Nance, Polk, Webster, Blaine, Loup, and Garfield counties and between points within said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No.

3. The application for authority should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1771, Supplement 2, 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 Larry Schmidt dba Your Own Limousine, Kearney, Nebraska, in Application B-1771, Supplement 2.

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

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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 9th day of August, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Red Johnson

Aune Boyde

Gerald L. Voss

//s//Frank E. Landis

//s//Tim Schram

Tim Schram

Chairman

ATTEST:

Shel S. Pe

Executive Director

