



Application to Modify Authority or Ownership

Introduction and Filing Instructions

This application must be completed and filed with the Nebraska Public Service Commission (PSC) by any entity or individual seeking to alter the current ownership structure of an authority holder or seeking to complete a transfer of an authority to a new entity. The application must be reviewed and approved by the Commission **before** any transportation services may begin if the transaction results in the transfer of an existing authority to a new authority holder.

Important Filing Instructions

1. Application and Documentation

Submit a completed application along with all required supporting documentation. The application packet may be downloaded from the Commission's website at <https://psc.nebraska.gov>, or you may contact the Commission to request a copy. The checklist of required documentation is included in the application form.

2. Authorized Representative

The application must be completed and signed by a person who is legally authorized to act on behalf of the applicant company.

3. Application Fees

A **non-refundable fee** must be submitted with your application:

- **Consolidation/Merger of two or more active authorities:** \$200
- **Transfer of active authority resulting in creation of new authority:** \$200
- **Change in ownership or control for LLC, Corporation, Partnership, etc:** \$200
- **Name change:** \$125

Payments may be made:

- Online at <https://psc.nebraska.gov>
- By check or money order via mail. Do not send cash through the mail.
- In person by cash, check, or money order.

4. Background Check

The applicant must submit a fingerprint-based background check completed by the Nebraska State Patrol (NSP). You may request that NSP send the results directly to the PSC, Attn: Transportation Department. *Note:* At the discretion of the Transportation Department Director, an equivalent statewide background check from another state may be accepted.

5. Submission Options

Submit the completed application and supporting materials using one of the following methods:

- **Email:** psc.motorfilings@nebraska.gov
- **U.S. Mail:**
Nebraska Public Service Commission
Attn: Transportation Department
P.O. Box 94927
Lincoln, NE 68509-4927
- **Personal Delivery:**
Nebraska Public Service Commission
1200 N Street, Suite 300
Lincoln, NE 68508

If you have questions or need assistance, contact the Transportation Department at **402-471-3101** or psc.motorfilings@nebraska.gov.

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Part I – Carrier Application

Company Name				d/b/a (if applicable):			
Owner (name):					D.O.B. (mm/dd/yyyy):		
Business Address:		City:		State:		Zip:	
E-mail:				Phone Number: (###) ###-####			
If seeking to acquire operating rights of existing authority holder, indicate authority number (B-Number) and company holding authority:							
Designated Agent <i>(individual who is a designated contact for all Commission notices, orders, and other mailings):</i>							
Name:							
Address:		City:		State:		Zip:	
E-mail:				Phone Number: (###) ###-####			
Legal Representation <i>(Only complete this part if you have retained an attorney to represent you in this matter. If represented, all communications will be made through your attorney. Leaving this blank does not prohibit you from retaining counsel at any point in the process.)</i>							
Attorney Name and Law Firm:							
Address:		City:		State:		Zip:	
E-mail:				Phone Number: (###) ###-####			

Part II – Business Entity Information

Entity Type:	<input type="checkbox"/> Limited Liability Company (LLC)	<input type="checkbox"/> Individual/Sole Proprietor
	<input type="checkbox"/> Corporation	<input type="checkbox"/> Other
State Organized/Incorporated:		Principal Office Location:

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Part III – Nature of Transaction

Transaction Type:

- ☐ Merger or consolidation of two or more active authorities (E.g., Authority B-1234 and B-5678 are combining)
- ☐ Sale or lease of Authority (E.g., Company B is purchasing the Authority B-1234 from Company A and wishes to operate the authority under a new B-Number as Company B)
- ☐ Operating contract or control arrangement (E.g., Company A and Company B are entering into a contract whereby Company B will operate Authority B-1234 held by Company A for a definite period of time)
- ☐ Sale of stock, membership units, or other business units that would result in a change in majority control (E.g., Company A is seeking to change its internal structure that will result in a new majority owner, but Company A will still hold its existing authority – even if Company A becomes a wholly owned subsidiary of a separate company)
- ☐ Sale of stock, membership units, or other business units that would not result in a change in majority control (E.g., Company A is seeking to change its internal structure that does not change the majority owner)
- ☐ Name Change ONLY

Part IV – Description of Transaction

Provide a detailed explanation of the transaction.

*If a **merger or consolidation** – explain which two active authorities are being merged and what the final outcome would be.*

*If a **sale or lease of an authority** – explain which active authority is being purchased and what the name of the company seeking to establish a new authority*

*If an **operating contract** – explain the contract and period*

*If **sale of business units** – explain the current ownership and structure and what the new ownership structure would be*

*If **name change** – indicate current authority holder name and the new name being sought*

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Is temporary operating authority being requested? If yes, explain why failure to grant such request would injure the authority sought to be acquired or substantially interfere with the future usefulness in providing adequate and continuous service to the public. Only applicable to a “sale or lease of Authority” indicated in Part III. (E.g., Company B is purchasing Authority B-1234 from Company A and wishes to operate under Authority B-1234 as Company A until a decision is made by the Commission – for up to a maximum of 90 days. This would require a lease of Company A’s properties and equipment to Company B). See Neb. Rev. Stat. §75-319.

Is there any internal restructuring involved? If yes, explain. If no, indicate “no restructuring.”

Is the geographic territory currently authorized sought to be altered? If yes, explain.

Part V – Supporting Documentation

Optional (Transaction Specific)

- ☐ Merger or Consolidation Plan
- ☐ Asset Purchase Agreement or Contract
- ☐ Lease Agreement or Contract
- ☐ Stock Purchase Agreement
- ☐ Membership Certificate Purchase Agreement
- ☐ Amended Articles/ Operating Agreement/ Partnership Agreement
- ☐ Board or Shareholder Resolutions (if applicable)

REQUIRED DOCUMENTATION

Fingerprint-based background with NSP

Financial Documentation (Balance Sheet and Pro Forma)

Organizational Documents

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DECLARATION OF APPLICANT

By signing this application, the Applicant agrees to adhere to and comply with the statutes of Nebraska and all rules and regulations of the Nebraska Public Service Commission. The Applicant also agrees, should any information submitted with the application change, to update any information provided to the Commission by the Applicant or its insurance carrier.

The Applicant understands that this application does not constitute authority to operate.

The Applicant understands that if this application is not complete within 30 days of filing, the Commission will take action to dismiss.

The Applicant understands that all fees paid to the Commission in association with this application are **non-refundable**.

I attest that I have read and know the contents of this application and that they are true and correct to the best of my knowledge and belief.

Dated at _____, this _____, day of _____, _____

By _____
Signature

Printed Name

Title

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