

1988 WL 225861 (I.C.C.)

SURFACE TRANSPORTATION BOARD (S.T.B.)

RODNEY L. JONES AND SID SHOWELL d/b/a EAGLES CREST ENTERPRISES—(LESSEE)
—and—
NORMAN JENSEN d/b/a EAGLES CREST ENTERPRISES (LESSOR)

Decided: February 10, 1988

INTERSTATE COMMERCE COMMISSION DECISION

MOTOR CARRIER

No. MC-F-19015 TA

By the Commission, the Motor Carrier Board, Members Barry, Guyton, and Gagnon.

*1 On February 8, 1988, Rodney L. Jones and Sid Showell d/b/a Eagles Crest Enterprises (Lessee) of Ogden, UT, filed an application under 49 U.S.C. 11349 for temporary authority (TA) to lease the operating rights of Norman Jensen d/b/a Eagles Crest Enterprises (Lessor), of Waterloo, MT, pending disposition of a petition for exemption under 49 U.S.C. 10926.

Applicants have demonstrated that failure to grant the TA may result in destruction of or injury to lessor's operating rights, or substantially interfere with their usefulness in providing adequate and continuous service to the public. Accordingly, the TA should be granted. See 49 U.S.C. 11349(a).

This decision will not significantly affect the quality of the human environment or the conservation of energy resources.

It is ordered:

(1) Lessee is authorized to lease the operating rights of lessor (as specified in the Appendix) for a period of 180 days. However, pursuant to 49 C.F.R. 1163.1(a)(2), this authority shall be extended until final disposition of the related finance application for permanent authority, unless otherwise ordered by the Commission.

(2) Lessee may begin operations under the leased authority, using the lessor's docket number(s), as soon as it complies with the conditions set forth in 3(a) below.

(3) The authority granted by this decision shall terminate unless lessee shall have:

(a) complied with the appropriate statutory and regulatory provisions (i) for certificates, governing insurance, tariffs, and designation of agents (see 49 U.S.C. 10927, 10761-62, and 10330; accord, 49 C.F.R. Parts 1043, 1312, and 1044), and (ii) for permits, governing insurance, designation of agents, and contracts (see 49 U.S.C. 10927, 10330, and 10764; accord, 49 C.F.R. Parts 1043, 1044, and 1053);

(b) commenced operations pursuant to the authority granted in this decision;

(c) confirmed, in writing, to the Commission, immediately upon commencement of operations, the date operations were commenced; and

(d) filed with the Commission 3 copies of the approved lease agreement, if this has not previously been done.

Noretta R. McGee

Secretary

APPENDIX

RODNEY L. JONES AND SID SHOWELL d/b/a EAGLES..., 1988 WL 225861 (1988)

This decision authorizes, subject to the terms and conditions stated above, the temporary lease of the operating rights of the Lessor under Permit No. MC-184655, issued December 11, 1985.

I.C.C.
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