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233847  
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STEP TOE & JOHNSON LLP

February 26, 2012



**VIA HAND DELIVERY**

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

**FILED**

FEB 26 2013

**SURFACE  
TRANSPORTATION BOARD**

**Re: MC-F-21052, Southfield Coinvest Holdings, LLC; Southfield Hallcon Investment Corp. and Hallcon Crew Transport Inc., et al.—Acquisition of Control—Renzenberger, Inc.**

Dear Ms. Brown:

Please find enclosed an original and ten copies of the application of Southfield Coinvest Holdings, LLC, Southfield Hallcon Investment Corp.; Hallcon Holdings Corp.; Hallcon Corporation; Hallcon Crew Transport Inc.; and Hallcon Crew Transport Inc. to control Renzenberger, Inc.

A check in payment of the \$2100 filing fee is also enclosed.

Respectfully submitted,

**ENTERED  
Office of Proceedings**

FEB 26 2013

**Part of  
Public Record**

David H. Coburn  
Attorney for Southfield Coinvest Holdings, LLC; Southfield Hallcon Investment Corp.; Hallcon Holdings Corp., Hallcon Corporation; Hallcon Crew Transport Inc.; and Hallcon Crew Transport Inc.

cc. U.S. Department of Justice, Antitrust Division  
Federal Trade Commission  
Other parties listed on service list

**FEE RECEIVED**

FEB 26 2013

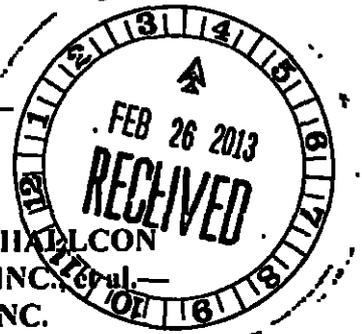
**SURFACE  
TRANSPORTATION BOARD**

233847

BEFORE THE  
SURFACE TRANSPORTATION BOARD

STB DOCKET NO. MC-F-21052

SOUTHFIELD COINVEST HOLDINGS, LLC; SOUTHFIELD HALLCON  
INVESTMENT CORP. AND HALLCON CREW TRANSPORT INC.  
ACQUISITION OF CONTROL—RENZENBERGER, INC.



VERIFIED APPLICATION FOR ACQUISITION OF CONTROL OF  
MOTOR PASSENGER CARRIER

David H Coburn  
Christopher Falcone  
STEP TOE & JOHNSON LLP  
1330 Connecticut Avenue, N.W  
Washington, D.C 20036  
(202) 429-3000

**FILED**  
FEB 26 2013  
SURFACE  
TRANSPORTATION BOARD

Attorneys for Southfield Coinvest  
Holdings, LLC, Southfield Hallcon  
Investment Corp., Hallcon Holding  
Corp.; Hallcon Corporation; Hallcon  
Crew Transport Inc ; and Hallcon  
Crew Transport Inc

February 26, 2013

ENTERED  
Office of Proceedings  
FEB 26 2013  
Part of  
Public Record

**FEE RECEIVED**  
FEB 26 2013  
SURFACE  
TRANSPORTATION BOARD

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB DOCKET NO. MC-F-21052**

**SOUTHFIELD COINVEST HOLDINGS, LLC; SOUTHFIELD HALLCON  
INVESTMENT CORP. AND HALLCON CREW TRANSPORT, INC., et al.—  
ACQUISITION OF CONTROL—RENZENBERGER, INC.**

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**VERIFIED APPLICATION FOR ACQUISITION OF CONTROL OF  
MOTOR PASSENGER CARRIER**

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Pursuant to 49 U.S.C. § 14303(a)(3), and the Board's rules at 49 CFR Part 1182, Applicants Southfield Coinvest Holdings, LLC ("Southfield"), a non-carrier private investment firm that controls Hallcon Crew Transport Inc. ("Hallcon U.S."), a federally-registered interstate motor passenger carrier, together with related co-applicant parties described below, hereby request authority for the acquisition of control of Renzenberger, Inc. ("Renzenberger"), a federally-registered interstate motor passenger carrier.

**I. SECTION 1182.2(a)(1): DESCRIPTION OF THE PARTIES TO THE TRANSACTION**

The parties to the Transaction are as follows.

**A. Southfield Coinvest Holdings, LLC, Southfield Hallcon Investment Corp., Hallcon Holdings Corp., Hallcon Corporation, Hallcon Crew Transport Inc., and Hallcon Crew Transport Inc.**

Southfield is a non-carrier private investment firm with headquarters at 53 Greenwich Avenue, 2nd Floor, Greenwich, CT 06830 incorporated under Delaware law. Southfield owns several entities which are not carriers in the United States, as well as

Hallcon U.S., a motor passenger carrier which it owns indirectly, as described further below.

Southfield is the majority shareholder of Southfield Hallcon Investment Corp.'s stock. Southfield Hallcon Investment Corp is incorporated under Canadian law and located at the same address as Southfield. Southfield Hallcon Investment Corp. is the majority shareholder of Hallcon Holding Corp.'s stock. Hallcon Holding Corp. is a non-carrier holding company incorporated under Canadian law. Hallcon Holding Corp. directly owns 100% of Hallcon Corporation

Hallcon Corporation is incorporated under Canadian law. Its headquarters are located at 5775 Yonge Street, Suite 1010, Toronto, Ontario, Canada, M2M 4J1. Hallcon Corporation is non-carrier that provides facility and transit cleaning services to the Canadian railway and transit industries. Hallcon Corporation directly owns 100% of Hallcon Crew Transport Inc. ("Hallcon Canada").

Hallcon Canada is incorporated under Canadian law. Its headquarters are located at 5775 Yonge Street, Suite 1010, Toronto, Ontario, Canada, M2M 4J1. Hallcon Canada is a motor passenger carrier providing crew transport services to the Canadian railway and transit industries. Hallcon Canada operates only in Canada.

Hallcon U.S. is wholly and directly owned by Hallcon Canada. Hallcon U.S. is a Delaware Corporation with headquarters at 5775 Yonge Street, Suite 1010, Toronto, Ontario, Canada, M2M 4J1. Hallcon U.S. is a federally registered motor carrier of passengers in the United States which provides crew transportation services to freight railroads across the United States. This transportation is provided pursuant to contracts with the railroads. Some of this transportation is provided on an interstate basis, and

some on an intrastate basis. Hallcon U.S. operates over 50 vehicles in the U S and employs over 150 drivers.

A diagram of the ownership structure of Southfield and Hallcon U.S. as described above is provided at Exhibit 1. A verification form executed by William H James, Principal of Southfield, verifying the facts regarding Southfield and Hallcon U.S., and the intermediate co-applicants, and authorizing the filing of this Application with the Board, is attached hereto.

**B. Renzenberger, Inc.**

Renzenberger, Inc is a Kansas corporation with headquarters at 14325 W. 95th Street, Lenexa, Kansas 66215 It is a subsidiary of non-carrier Peterson Manufacturing Company ("Peterson"), which is headquartered at 4200 E. 135th Street Grandview, Missouri 64030. Peterson manufactures vehicle safety lighting, mirrors, reflectors, antennas and related products.

Renzenberger is a federally authorized motor carrier of passengers that provides rail crew transportation services in over 20 states across the U.S. It provides this service primarily under contracts that it maintains with the railroads. Some of this transportation is provided in a single state and some involves crossing state lines. Renzenberger has previously provided crew shuttle services for airlines and other industries, including oil and gas companies. Renzenberger operates over 1200 vehicles and employs over 2,500 drivers.

A verification form executed by Karen Scitter, President of Renzenberger, verifying the facts regarding Renzenberger, and authorizing the filing of this Application with the Board, is attached hereto

## **II. SECTION 1182(a)(2): DESCRIPTION OF OPERATING AUTHORITIES**

Renzenberger is a federally registered motor carrier of passengers that provides both interstate and intrastate transportation. It holds interstate operating authority issued to it by the Federal Motor Carrier Safety Administration in Docket No. MC-170517, under which it is authorized to engage in regular route common carrier service, charter service and contract service for railroads throughout the United States. Renzenberger also operates under USDOT Number 210768. In addition, Renzenberger holds intrastate authority to transport passengers in the following states: Arkansas, California, Colorado, Delaware, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, Texas, and Wyoming.<sup>1</sup> Copies of Renzenberger's interstate and intrastate operating authorities are provided at Exhibit 2.

Hallcon U.S. holds interstate authority issued to it by the Federal Motor Carrier Safety Administration in Docket No. MC-474586 under which it is authorized to engage in transportation as a contract carrier of passengers. It also operates under USDOT Number 1188236. In addition, Hallcon U.S. holds intrastate authority issued by the following states: Pennsylvania, Iowa, Missouri, Indiana, Arkansas, Louisiana, Alabama and Kentucky. Copies of Hallcon U.S.'s interstate and intrastate operating authorities are provided at Exhibit 3<sup>2</sup>

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<sup>1</sup> Renzenberger is not currently operating in Wyoming but intends to retain Wyoming authority for potential future use.

<sup>2</sup> Hallcon U.S.'s application for Kentucky intrastate operating authority was just recently approved, however, Hallcon U.S. is still awaiting receipt of the Final Order Granting Authority to Operate from the Kentucky Transportation Cabinet.

As described below, the transaction underlying this Application ("Transaction") would not result in the transfer of operating authority.

### **III. SECTION 1182(a)(3): DESCRIPTION OF TRANSACTION**

The Transaction contemplates that a subsidiary of Hallcon U.S. ("Hallcon Acquisition Subsidiary") would be created for the purpose of purchasing the stock of Renzenberger. After Hallcon Acquisition Subsidiary purchases the stock of Renzenberger, Hallcon Acquisition Subsidiary will be merged into Renzenberger. After the merger, Renzenberger will be the surviving corporation and Hallcon Acquisition Subsidiary will cease to exist. As a result, Renzenberger will be directly and wholly owned by Hallcon U.S. and indirectly controlled by Hallcon U.S.'s ultimate controlling shareholder, Southfield. Following the Transaction, Renzenberger would continue to operate as an independent company, conducting the same operations it currently conducts and utilizing the same operating authorities under which it currently operates. Thus, the proposed Transaction will result in a change of Renzenberger's ownership but will not result in any change in the nature or scope of Renzenberger's current operations or any transfer in operating authorities. For the reasons described below, this Transaction is in the public interest and should be approved by the Board.

### **IV. SECTION 1182.2(a)(4): AFFILIATED MOTOR PASSENGER CARRIERS**

Neither Renzenberger nor Hallcon U.S. is affiliated with other U.S. motor passenger carriers. Hallcon U.S. is affiliated with Hallcon Canada, which is a Canadian corporation that provides motor passenger carrier services only in Canada. The intercorporate structure of Renzenberger, Hallcon U.S. and related parties is described above in Section II and in Exhibit I

**V. SECTION 1182.2(a)(5): JURISDICTIONAL STATEMENT**

The carriers involved in the Transaction have earned aggregate gross operating revenues well in excess of \$2 million during the twelve-month period preceding the date of this application. Accordingly, the jurisdictional threshold of 49 U.S.C. § 14303(g) is met.

**VI. SECTION 1182.2(a)(6): ENVIRONMENTAL AND ENERGY FACTORS**

The Transaction contemplates only a change in ownership of a motor carrier and is not designed to result in any operational changes. Accordingly, as the Board has found with respect to similar acquisitions, there will be no significant effect on the quality of the human environment or the use of energy resources, and the transaction is exempt from the Board's environmental reporting requirements. *see Notre Capital Ventures II, LLC and Coach USA, Inc.—Control Exemption—Arrow Stage Lines, Inc., et al.*, STB Finance Docket No. 32876 (Sub No. 1), 1996 STB LEXIS 143 (served May 3, 1996) ("*Coach/Arrow*"); *Coach USA, Inc.—Control Exemption—American Sightseeing Tours, Inc.; California Charters, Inc.; Texas Bus Lines, Inc.; Gulf Coast Transportation, Inc.; and K-T Contract Services, Inc.*, STB Finance Docket No. 33073, 1996 STB LEXIS 283 (served Nov. 8, 1996); *see also* 49 C.F.R. § 1105.6(c)(2)(i) and (ii).

**VII. SECTION 1182.2(a)(7): PUBLIC INTEREST CONSIDERATIONS**

The Board is required to approve the proposed acquisition of control of the assets of Renzenberger if it finds that such control by Applicants is consistent with the public interest. *See* 49 U.S.C. § 14303(b). In making its public interest determination, the Board is obligated to consider (A) the effect of the proposed acquisition of control on the

adequacy of service to the public, (B) the impact on total fixed charges, and (C) the interests of carrier employees. Judged by each of these factors, granting this Application would be consistent with the public interest.

**A. Adequacy of Transportation to the Public**

The Transaction entails merely a change in the ownership of Renzenberger, and will not impair Renzenberger's transportation of the public. The Board has repeatedly found motor carrier control transactions to be consistent with the public interest in such circumstances. *See Railcrew Xpress, LLC and Railcrew Xpress Corp.—Acquisition of Control—Raudin McCormick, Inc et al.*, STB Docket No. MC-F-21015, slip op. at 2 (served Feb. 27, 2006) (finding acquisition of motor carriers of rail crews was "consistent with the public interest" where the applicants stated that "the proposed transactions will have no impact on the adequacy of transportation services available to the public..."), *KBUS Holdings, LLC & CUSA, LLC—Acquisition of Control—America Charters, Ltd. et al.*, STB Docket No. MC-F-21014, slip op. at 2 (served Feb. 22, 2006) (finding "acquisition of control is consistent with the public interest and should be authorized" where the applicants stated that "the proposed transaction will have no impact on the adequacy of transportation services available to the public..."); *CUSA PCSTC, LLC d/b/a Pacific Coast Sightseeing Tours & Charters—Acquisition of Assets and Business Operations—Laidlaw Transit Services, Inc. d/b/a Roesch Lines*, STB Docket No. MC-F-21009, slip op. at 2-3 (served Jan. 13, 2005) (approving purchase of motor carrier assets where applicant state that "the proposed transaction will have no impact on the adequacy of transportation to the public").

Further, the Board found a previous proposal for the change in the ownership of Renzenberger was “consistent with the public interest and should be authorized” where the applicant stated that “the proposed transaction will not impact the adequacy of transportation services available to the public.” *Fenway Partners Capital Fund III, L.P. and Coach America Holdings, Inc.—Control—Renzenberger, Inc.*, STB Docket No. MC-F-21024, slip op. at 3 (served Feb. 26, 2008).<sup>3</sup> The same holds true for this control transaction, which likewise warrants approval.

The Transaction will improve the efficiency and lower the costs of Renzenberger’s operations. Specifically, to accommodate expected growth in customer demand Hallcon U.S. and Renzenberger will leverage each other’s senior and field level managers, thereby reducing the need to invest more in personnel in the near term. In addition, Hallcon U.S. will engage in vehicle sharing arrangements with Renzenberger to ensure maximum utilization and operational efficiency of equipment. The reduced costs associated with these efficiencies will put Renzenberger in a better position to invest in the equipment necessary to maintain the high-quality service it provides.

The Transaction will have no significant adverse impact on competition. Hallcon U.S. and Renzenberger have historically focused their services on different customers. Thus, the transaction will not result in a reduction in the existing level of competition among rail crew transporters. Both entities will continue to face competition or potential competition from other rail crew and passenger carriers, just as they do today. There are currently two other large rail crew transportation providers that operate throughout large portions of the United States servicing the Class I railroads and shortlines: Professional

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<sup>3</sup> This authorized control transaction was never consummated.

Transportation, Inc and Railcrew Xpress. In addition, there are numerous smaller companies that provide rail crew transportation on a local or regional basis

Moreover, as the Board and its predecessor have previously recognized, opportunities for the abuse of market power in the motor passenger sector are foreclosed by the low barriers to entry that characterize this sector. See *Coach USA, Inc. and K-T Contract Services, Inc.—Control and Merger Exemption—Gray Line Tours of Southern Nevada*, STB Finance Docket No 33431, slip op at 2 (served Aug 29, 2001) (“As Congress has recognized, and as we have found in approving the Gray Line/Coach merger... the bus industry is characterized by pervasive competition and low entry barriers.”); *Laidlaw Transit, Inc., et al —Control and Merger Exemption—National School Service Inc., et al.*, STB Finance Docket No 33007, 1996 STB LEXIS 277, at \*12 (served Oct. 25, 1996) (“Moreover, with the low entry barriers and pervasive intermodal and intramodal competition that otherwise characterizes the charter and special operations segment of the bus industry, most opportunities for the abuse of market power are effectively foreclosed ”); *Coach/Arrow* at \*15 (“With the low entry barriers and the pervasive intramodal and intermodal competition that characterizes the bus industry, most opportunities for the abuse of market power are effectively foreclosed.”); *The Arrow Line, Inc.—Purchase Exemption—Savin Bus Lines, Inc.*, STB Docket No. MC-F-19369, 1989 MCC LEXIS 365, at \*4-5 (ICC decided Jul 17, 1989) (“There are few regulatory barriers to entry to the motor carrier marketplace.”); *GLI Acquisition Co.—Purchase—Trailways Lines, Inc.*, 4 I.C.C. 2d 591, 601 (1988) (“As a corollary to this, the presence of intramodal competitors is not necessary to maintain competitive discipline for bus firms. Where the barriers to entry are virtually nonexistent, potential entry, together with

intermodal competition, exerts pressure on existing firms to price reasonably") Thus, the travelling public (particularly employees in need of work-related transportation) will continue to have reasonably priced transportation options following any Board approval of this Application.

In short, the Transaction will make Renzenberger a more efficient company, and will allow it the opportunity to improve service without any adverse impact on competition.

**B. Fixed Charges**

Halcon U.S. will acquire Renzenberger's stock through the Transaction described above. While Halcon U.S.'s overall debt and interest payments may increase as a result of the Transaction, the Transaction will have no material adverse impact on the ability of Renzenberger and Halcon U.S. to meet their debt and interest obligations, while continuing to offer service to the public

**C. Impact on Employees**

The Transaction will have no material adverse impact on carrier employees Halcon U S and Renzenberger currently plan to continue to employ nearly all of their current employees following the Transaction To the extent that the Transaction will strengthen Renzenberger, as described above, it will be of benefit to carrier employees.

**D. INTRASTATE OPERATING PERMITS**

The Transaction will have no impact on the intrastate operating authorities held by Renzenberger in the above-named states in which it holds such authority. These authorities will remain in effect and will not be transferred to another entity. Applicants further note that, pursuant to 49 U.S.C. § 14303(f), Board approval of this Application

will serve to preempt any otherwise applicable state requirements with respect to the acquisition of control described here. This will relieve the parties of potentially burdensome and time-consuming state requirements. *See Colorado Mountain Express, Inc. and Airport Shuttle Colorado, Inc., d/b/a Aspen Limousine Service, Inc.-- Consolidation and Merger--Colorado Mountain Express*, STB Docket No. MC-F-20902, 2 S.T.B 68, 69 (STB served Feb 28, 1997) (“[I]f the participants to a finance transaction are motor carriers of passengers, subject to Board jurisdiction under 49 U.S.C. 13501, then under 49 U.S.C. 14303(f), they are subject to our exclusive and plenary jurisdiction in all matters relating to their consolidation, merger, and acquisition of control, and this extends to intrastate operating rights.”); *see also Board of Trustees of Trucking Employees of North Jersey Welfare Fund, Inc.-Pension Fund v. Centura*, 983 F.2d 495, 503 (3d Cir. 1992) (“[F]ederal law preempts any state law that might purport to require state approval before the transfer of stock or interstate operating authority may occur.”), *Minnesota Transp. Regulation Bd. v. United States*, 966 F.2d 335 (8th Cir. 1992) (“[T]he ICC’s exemption of this transaction allowed the firms to transfer the ‘grandfather’ authority without regard to its nontransferability under Minnesota law.”)

**VIII. SECTION 1182.2(a)(8): SAFETY FITNESS CERTIFICATION**

Applicants hereby certify that Renzenberger has a satisfactory safety rating issued by the U.S. Department of Transportation, and that Hallcon U.S. is not rated.

**IX. SECTION 1182(a)(9): INSURANCE COVERAGE CERTIFICATION**

Applicants hereby certify that Renzenberger and Hallcon U.S. have the requisite insurance coverage under 49 U.S.C. § 13906 for the services they intend to provide.

**X. SECTION 1182(a)(10): CERTIFICATION OF DOMICILE**

Applicants hereby certify that no party to the Transaction is domiciled in Mexico or owned or controlled by persons of that country.

**XI. SECTION 1182.3(a)(1): SERVICE REQUIREMENTS**

A copy of this application is being served on the regulatory authorities in each state in which Renzenberger holds authority to provide intrastate service, as reflected on the attached certificate of service.

**CONCLUSION**

The Board should grant this Application for all of the reasons described above.

Respectfully submitted,



David H. Coburn  
Christopher Falcone  
STEPTOE & JOHNSON LLP  
1330 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 429-3000

Attorneys for Southfield Coinvest Holdings, LLC; Southfield Hallcon Investment Corp.; Hallcon Holding Corp.; Hallcon Corporation; Hallcon Crew Transport Inc., and Hallcon Crew Transport Inc.

February 26, 2013

## VERIFICATION

I, William H. James, Principal of Southfield Coinvest Holdings, LLC, verify under penalty of perjury, under the laws of the United States of America, that all information supplied in connection with this Application relative to Southfield Coinvest Holdings, LLC and its various subsidiaries as described in the accompanying Application is true and correct. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. § 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

  
\_\_\_\_\_  
William H. James, Principal

Dated February 21, 2013

### VERIFICATION

I, Karen Scitter, President of Renzenberger, Inc., verify under penalty of perjury, under the laws of the United States of America, that all information supplied in connection with this Application relative to Renzenberger, Inc. is true and correct. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. § 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense

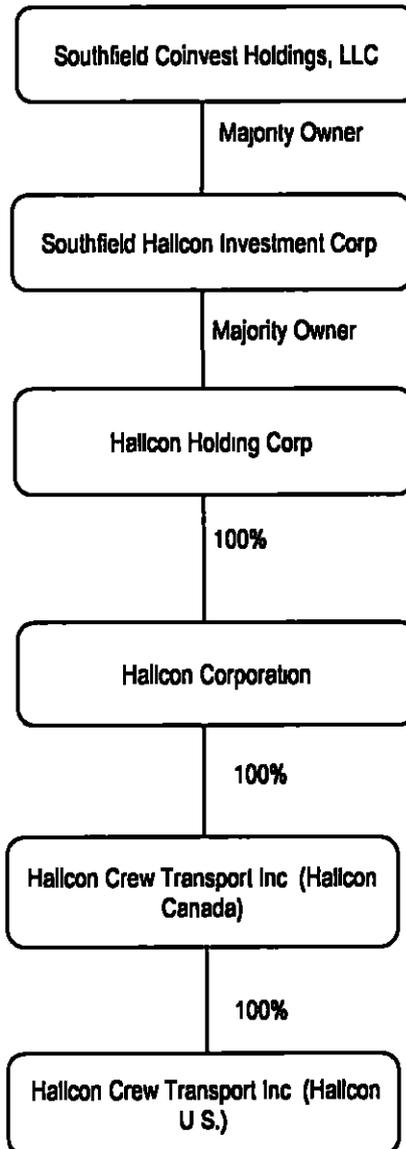


Karen Scitter, President

Dated February 19, 2013

# **EXHIBIT 1**

**Halcon Companies  
Organizational and Ownership Structure  
As at: February 2013**



# **EXHIBIT 2**

<b>Renzenberger Inc.</b>	
<b>FMCSA</b>	<b>MC# 170517</b>
<b>Federal DOT</b>	<b>DOT #210768</b>
<b>State</b>	<b>Intrastate</b>
<b>Arkansas</b>	<b>M-25552</b>
<b>California</b>	<b>TCP04575P</b>
<b>Colorado</b>	<b>B-9524 &amp; 13485</b>
<b>Delaware</b>	<b>001448889</b>
<b>Indiana</b>	<b>30160-B,1</b>
<b>Iowa</b>	<b>CC-45</b>
<b>Kansas</b>	<b>19-741</b>
<b>Louisiana</b>	<b>5676-A</b>
<b>Maryland</b>	<b>PSC 2535</b>
<b>Michigan</b>	<b>MDOT L0888</b>
<b>Missouri</b>	<b>1170</b>
<b>Nebraska</b>	<b>B-1325</b>
<b>Nevada</b>	<b>6002</b>
<b>New Mexico</b>	<b>44668</b>
<b>Oklahoma</b>	<b>63564</b>
<b>Texas</b>	<b>3066B</b>

OP-AEA-31  
(Rev. 12/83)

INTERSTATE COMMERCE COMMISSION

PERMIT

SERVICE DATE  
FEB 28 1984

MC-170517

RENZENBERGER, INC.  
SHAWNEE, KANSAS

This Permit is evidence of the carrier's authority to engage in transportation as a contract carrier by motor vehicle.

This authority will become effective only when the carrier has met the compliance requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043), designation of agents upon whom process may be served (49 CFR 1044), the execution of contracts for contract carriers (49 CFR 1053), and, as applicable, tariffs or schedule (49 CFR 1300 through 1310). The carrier shall also render reasonably continuous and adequate service under this authority. Failure to meet these conditions will constitute sufficient grounds for the suspension, change, or revocation of this authority.

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

The transportation service to be performed is described on the reverse side of this document and will be valid as long as the carrier maintains compliance with the above requirements.

By the Commission.

James N. Bayne  
Acting Secretary

(SEAL)

NOTE. If there are discrepancies regarding this Permit, please notify the Commission within 30 days.

MC-170517

To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting train crews, between points in Oklahoma, Missouri, Kansas, Nebraska, Colorado and Arkansas, under continuing contract(s) with Missouri Pacific Railroad Company, of Kansas City, MO.

PM-26  
(Rev. 10/84)

INTERSTATE COMMERCE COMMISSION

CERTIFICATE

MC 170517 SUB 1

RENZENBERGER, INC.  
SHAWNEE, KANSAS

SERVICE DATE

NOV 19 1984

This Certificate is evidence of the carrier's authority to engage in transportation as a common carrier by motor vehicle.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043); the designation of agents upon whom process may be served (49 CFR 1044); and tariffs or schedules (49 CFR 1300 through 1310, revised). The carrier shall also render reasonably continuous and adequate service to the public. Failure to meet these conditions will constitute sufficient grounds for the suspension, change, or revocation of this authority.

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

For common carriers with irregular route authority: Any irregular route authority authorized in this Certificate may not be tacked or joined with your other irregular route authority unless joinder is specifically authorized.

The transportation service to be performed is described on the reverse side of this document.

By the Commission.

JAMES H. BAYNE  
Secretary

(SEAL)

NOTE: If there are any discrepancies regarding this document, please notify the Commission within 30 days.

MC 170517 SUB 1

To operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting passengers, in charter and special operations, between points in the United States.

**SERVICE DATE**

**OCT 9 1987**

**INTERSTATE COMMERCE COMMISSION**

**CERTIFICATE**

No. MC-170517 (Sub-No. 3)\*

RENZENBERGER, INC.

Shawnee, KS

This Certificate is evidence of the carrier's authority to engage in transportation as a common carrier by motor vehicle.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043); the designation of agents upon whom process may be served (49 CFR 1044); and tariffs or schedules (49 CFR 1300 through 1310, revised). The carrier shall also render reasonably continuous and adequate service to the public. Failure to meet these conditions will constitute sufficient grounds for the suspension, change, or revocation of this authority.

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

For common carriers with irregular route authority: Any irregular route authority authorized in this Certificate may not be tacked or joined with your other irregular route authority unless joinder is specifically authorized.

The transportation service to be performed is described on the reverse side of this document.

By the Commission.

Noreta R. McGee  
Secretary

(SEAL)

NOTE: If there are any discrepancies regarding this document, please notify the Commission within 30 days.

\*NOTE. The carrier is authorized to provide regular-route transportation in intrastate commerce and also must comply with requirements a 49 U.S.C. 10922(c)(2)(E).

\*CONDITION. The carrier is authorized to provide intrastate transportation service on a route under this certificate only if the carrier provides regularly scheduled interstate transportation service on the route. ✓

To operate as a common carrier, by motor vehicle, in intrastate, interstate, or foreign commerce, over regular routes, transporting passengers.

(1) between Council Bluffs, IA, and Denver, CO, from Council Bluffs over Interstate Hwy 80 to junction Interstate Hwy 76, then over Interstate Hwy 76 to Denver, and return over the same route;

(2) between Council Bluffs, IA, and junction US Hwy 6 and Interstate Hwy 76, from Council Bluffs over US Hwy 6 to junction US Hwy 34, then over US Hwy 34 to junction US Hwy 281, then over US Hwy 281 to junction US Hwy 30, then over US Hwy 30 to junction US Hwy 138, then over US Hwy 138 to junction US Hwy 6, then over US Hwy 6 to junction Interstate Hwy 76, and return over the same route;

(3) between Lincoln, NE, and Sterling CO, over US Hwy 6;

(4) between Lincoln, NE, and Manhattan, KS, from Lincoln over US Hwy 77 to junction US Hwy 24, then over US Hwy 24 to junction Kansas Hwy 18, then over Kansas Hwy 18 to Manhattan, and return over the same route;

(5) between Beatrice, NE, and junction US Hwys 6 and 136, over US Hwy 136;

(6) between junction US Hwys 34 and 81, and junction US Hwys 81 and 136, over US Hwy 81;

(7) between Grand Island, NE, and Red Cloud, NE, over US Hwys 34 and 281,

(8) between Lexington, NE, and Arapahoe, NE, over US Hwy 283;

(9) between North Platte, NE, and McCook, NE, over US Hwy 83;

(10) between junction US Hwy 136 and Nebraska Hwy 14, and Superior, NE, over Nebraska Hwy 14;

(11) between junction US Hwy 77 and Nebraska Hwy 33, and junction Nebraska Hwy 33 and US Hwy 6, over Nebraska Hwy 33;

(12) between junction Nebraska Hwys 33 and 103, and junction Nebraska Hwy 41 and US Hwy 77, from junction Nebraska Hwys 33 and 103, over Nebraska Hwy 103 to junction Nebraska Hwy 41, then over Nebraska Hwy 41 to junction US Hwy 77, and return over the same route;

(13) between junction US Hwy 6 and Nebraska Hwy 46, and Oxford, NE, over Nebraska Hwy 46;

(14) between junction US Hwy 283 and Nebraska Hwy 23, and junction US Hwy 83 and Nebraska Hwy 23, over Nebraska Hwy 23,

(15) between Omaha, NE, and Epply Airfield, Omaha, NE, over Abbott Drive; and

(16) between Grand Island, NE, and Hall County Regional Airport, Grand Island, NE, over Airport Avenue;

serving all intermediate points in (1) through (16) above.

\*CONDITION: The carrier is authorized to provide intrastate transportation service on a route under this certificate only if the carrier provides regularly scheduled interstate transportation service on the route.

Interstate Commerce Commission  
Office of the Secretary, Service Section  
Washington, D.C. 20423

Official Business  
Penalty For Private Use, \$300

Address Correction Requested



Postage and Fees Paid  
Interstate Commerce Commission  
First Class Mail  
ICC 630

PM-31  
(Rev. 10/84)

INTERSTATE COMMERCE COMMISSION.

PERMIT

No. MC-170517 Sub 2

RENZENBERGER, INC.  
SHAWNEE, KS

SERVICE DATE

NOV 13 1984

This Permit is evidence of the carrier's authority to engage in transportation as a contract carrier by motor vehicle.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043); the designation of agents upon whom process may be served (49 CFR 1044); the execution of contracts (49 CFR 1053)\*; and for passenger carriers, tariffs or schedules (49 CFR 1300 through 1310).

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

The transportation service to be performed is described on the reverse side of this document.

By the Commission.

JAMES H. BAYNE  
Secretary

(SEAL)

\*While the execution of contracts must be accomplished, it is unnecessary to file them with the Commission.

NOTE: If there are discrepancies regarding this Permit, please notify the Commission within 30 days.

No. MC-170517 Sub 2

To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting train crews, between points in the United States, under continuing contract(s) with railroad companies.

OFFICE OF  
ARKANSAS TRANSPORTATION COMMISSION

IN RE: RENZENBERGER INC. )  
5320 BOND ) PERMIT NO. M-25188  
SHAWNEE KS 66203 )  
INTERSTATE PERMIT )

ORDER AND PERMIT

AFTER DUE INVESTIGATION, it appearing that the above named carrier has complied with all applicable provisions of the Arkansas Motor Carrier Act, and the requirements, rules and regulations prescribed thereunder, and, therefore, is entitled to receive authority from this Commission to engage in transportation in interstate or foreign commerce as a motor carrier, and the Commission so finding:

IT IS ORDERED, that the said carrier be and it is hereby granted this permit as evidence of the authority of the holder to engage in transportation in interstate or foreign commerce as a CONTRACT CARRIER by motor vehicle, subject, however, to such terms, conditions and limitations as are now, or may hereafter be, attached to the exercise of the privileges herein granted to the said carrier.

IT IS FURTHER ORDERED, that the transportation service to be performed by the said carrier in interstate or foreign commerce as a CONTRACT CARRIER shall be as specified in:

INTERSTATE COMMERCE COMMISSION ORDER No. MC-170517 which is incorporated herein by reference.

IT IS FURTHER ORDERED, that all operating rights and privileges herein granted are subject to all provisions, conditions, and limitations contained in the INTERSTATE COMMERCE COMMISSION ORDER referred to above and Part II of the Interstate Commerce Act as amended.

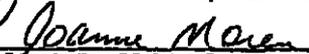
IT IS FURTHER ORDERED, and made a condition of this certificate that the holder hereof shall comply with all rules and regulations of this Commission and the laws of the State of Arkansas concerning the operation of a motor vehicle over the highways of this State.

IT IS FURTHER ORDERED, that the termination of authority as above described by the Interstate Commerce Commission shall immediately terminate the authority granted herein by the State of Arkansas.

Entered this 12th day of February, 1985.

BY ORDER OF THE COMMISSION:

  
JENNIE L. FURR, ADMINISTRATOR

ATTEST:   
JOANNE MOREN, SECRETARY

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA  
CLASS P CHARTER-PARTY PERMIT

FILE NO TCP0004575 - P

RENZENBERGER  
5720 REEDER ROAD  
SHAWNEE KS 66203

59

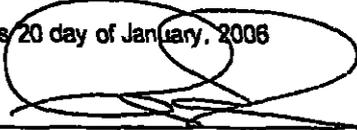
TERMINAL 433 S SIERRA WAY SAN BERNARDINO CA 92408

The above-named Carrier, having made written application to the Public Utilities Commission of the State of California for a permit to operate as a CHARTER-PARTY CARRIER OF PASSENGERS, pursuant to Sections 5351 through 5420 of the Public Utilities Code, is granted this permit authorizing the transportation of passengers by motor vehicle over the public highways of the State of California as a CHARTER-PARTY CARRIER OF PASSENGERS, as defined in said Code, subject to the following conditions

- (1) This permit is issued pursuant to Public Utilities Code Section 5384(b), and is limited to the use of vehicles under 15-passenger seating capacity
- (2) No vehicle or vehicles shall be operated by said Carrier unless adequately covered by a public liability and property damage insurance policy or surety bond as required by Public Utilities Code Section 5392
- (3) Said Carrier shall comply with all Commission orders, decisions, rules, directions, and requirements governing the operations of said Carrier including General Order Series 115 and 157 and shall remit to the Commission the Transportation Reimbursement Fee required by Public Utilities Code Section 403.
- (4) All vehicles operated under this permit shall comply with the requirements of the Motor Carrier Safety Section of the California Highway Patrol. No vehicle shall be operated unless it is named in the Carrier's most recent equipment list on file with this Commission. Written amendments to the equipment list shall be filed within ten days of the date the vehicle is put into or pulled out of service
- (5) This permit is subject to amendment, modification, suspension or revocation as provided in the Public Utilities Code and in Commission Resolutions PE-498, PE-501, and TL-18336
- (6) This permit may not be sold, assigned, leased, or otherwise transferred or encumbered without Commission authorization
- (7) This permit does not authorize the Carrier to conduct operations on the property of or into any airport unless such operation is authorized by the airport authority involved.
- (8) This permit does not authorize round-trip sightseeing tour service
- (9) The use of top lights and/or taxi meters in all vehicles operated under this permit is prohibited (D 82-05-069)

This permit expires January 20, 2009. It may be renewed every three (3) years upon submission and approval of a renewal application. This renewal application should be submitted 90-days prior to the expiration date.

Dated this 20 day of January, 2006

BY   
Director, Consumer Protection and Safety Division

**LETTER OF AUTHORITY**

Issued By  
DEPARTMENT OF REGULATORY AGENCIES

**The Public Utilities Commission**

OFFICE LEVEL TWO 1580 LOGAN STREET  
DENVER, COLORADO 80203

TO

RENZENBERGER, INC.  
13730 HAUSER ST  
SHAWNEE KS 66203

CERTIFICATE NUMBER \_\_\_\_\_

PERMIT NUMBER H-9524

L

DECISION NUMBER: COU-329

TRANSPORTATION OF  
PASSENGERS AND THEIR BAGGAGE  
BETWEEN ALL POINTS IN THE STATE OF COLORADO.  
RESTRICTION. THIS PERMIT IS RESTRICTED TO PROVIDING  
TRANSPORTATION SERVICES FOR ONLY, THE UNION PACIFIC  
RAILROAD.

(SEAL)



CONTINUOUS

PAGE 1  
END OF AUTHORITY

Until Revoked - Cancelled  
Suspended - Altered or Amended

(NOT VALID UNLESS UNDER SEAL OF COMMISSION.)  
THIS LETTER OF AUTHORITY MUST BE CARRIED IN THE CAB OF EACH AND  
EVERY VEHICLE OPERATED UNDER THE ABOVE AUTHORITY NUMBER.  
ABOVE AUTHORITY NUMBER AND ABOVE CARRIER'S NAME AND ADDRESS MUST BE PAINTED ON BOTH  
SIDES OF ALL MOTOR VEHICLES, TRAILERS AND OTHER VEHICLES USED UNDER THE ABOVE AUTHORITY

**LETTER OF AUTHORITY**

Issued By

Department of Regulatory Agencies

**THE PUBLIC UTILITIES COMMISSION**

OFFICE LEVEL TWO

1580 LOGAN STREET

DENVER, COLORADO 80203

**ISSUED TO:**

Renzenberger, Inc  
P. O. Box 16150  
Shawnee, KS 66203

Certificate Number 13485

Transportation, on call-and-demand, of railroad train crews and their baggage,

between all points in the State of Colorado.

**Restrictions:**

- (1) Restricted to conducting a transportation service that either originates or terminates at actual train locations on rail sidings.
- (2) Restricted to the use of vehicles with a rated seating capacity of twelve passengers;
- (3) Restricted against point to point service in an area which includes all the territory within a radius of sixteen miles of 16th and Champa Streets, Denver, Colorado except for Littleton, Colorado.

Decision No. R94-1054

Dated: January 3, 1995

( S E A L )



**CONTINUOUS  
UNTIL REVOKED, CANCELED,  
SUSPENDED, ALTERED, OR AMENDED**

THIS LETTER OF AUTHORITY MUST BE CARRIED IN THE CAB  
OF EACH AND EVERY VEHICLE OPERATED UNDER THE  
ABOVE AUTHORITY NUMBER.

(NOT VALID UNLESS UNDER SEAL OF COMMISSION)

*State of Delaware*  
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT "RENZENBERGER, INC.", A CORPORATION CREATED AND EXISTING UNDER THE LAWS OF KANSAS FILED IN THIS OFFICE, THE FIFTH DAY OF SEPTEMBER, A.D. 2000, AT 9 O'CLOCK A.M., A CERTIFICATE ISSUED BY AN AUTHORIZED OFFICER OF THE JURISDICTION OF ITS INCORPORATION EVIDENCING ITS CORPORATE EXISTENCE, TOGETHER WITH A SWORN STATEMENT SETTING FORTH "THE CORPORATION TRUST COMPANY", IN THE CITY OF WILMINGTON, AS A REGISTERED AGENT IN THIS STATE, AND ALL THE INFORMATION REQUIRED BY SECTION 371(B)(2), AND IS ENTITLED TO DO BUSINESS IN THIS STATE.

PROVIDED, HOWEVER, THAT THE SAID "RENZENBERGER, INC." SHALL NOT WITHIN THE LIMITS OF THIS STATE, BY ANY IMPLICATION OR CONSTRUCTION, BE DEEMED TO POSSESS THE POWER OF DISCOUNTING BILLS, NOTES, OR OTHER EVIDENCE OF DEBT, OF RECEIVING DEPOSITS, OF BUYING AND SELLING BILLS OF EXCHANGE, OR OF ISSUING BILLS, NOTES OR OTHER EVIDENCE OF DEBT UPON LOAN FOR CIRCULATION OF MONEY.



3283640 8210

001448889

Edward J. Freel, Secretary of State

AUTHENTICATION: 0661678

DATE: 09-07-00

# STATE OF INDIANA



INDIANAPOLIS, IN 46241-9524

## DEPARTMENT OF REVENUE

MOTOR CARRIER SERVICES DIVISION  
5252 DECATUR BLVD, STE R

PERMIT NO. 30160-B, 1

This is to certify that this Permit has been issued to:

**Renzenberger, Inc.  
Shawnee, Kansas**

authorizing, per order dated December 13, 1999, the operation of motor vehicles as a contract carrier as follows:

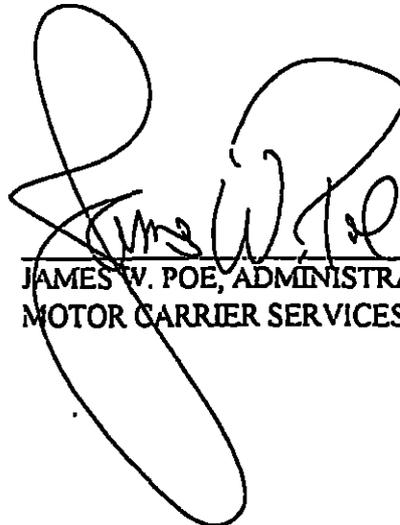
**Passengers, railroad employees and their personal baggage,**

**Between points in Marion, Allen and Madison Counties, Indiana, on the one hand, and on the other, points in Indiana.**

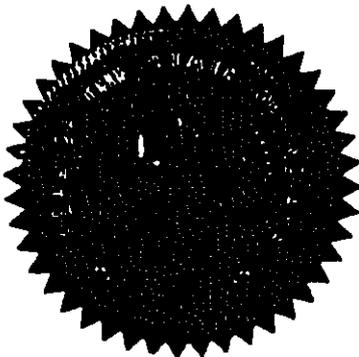
**RESTRICTION: Restricted to motor vehicles designed and manufactured to transport not more than fifteen (15) passengers, including the driver.**

This Permit shall remain in full force and effect unless and until amended, suspended, cancelled, or revoked by Order of the Indiana Department of Revenue

Dated this 13th day of December, 1999.



JAMES W. POE, ADMINISTRATOR  
MOTOR CARRIER SERVICES DIVISION



"Equal Opportunity Employer"

**ORIGINAL**  
STATE OF INDIANA

INDIANA DEPARTMENT OF REVENUE

IN THE MATTER OF THE PETITION OF	)	NO. 30160-B, 1 TA
RENZENBERGER, INC., SHAWNEE, KANSAS,	)	
FOR A PERMIT TO OPERATE MOTOR	)	EXTENSION OF
VEHICLES AS A CONTRACT CARRIER OF	)	TEMPORARY AUTHORITY
PASSENGERS, INTRASTATE.	)	
	)	APPROVED: DEC 01 1999

**BY THE DEPARTMENT:**  
Jason D. Bray - Administrative Law Judge

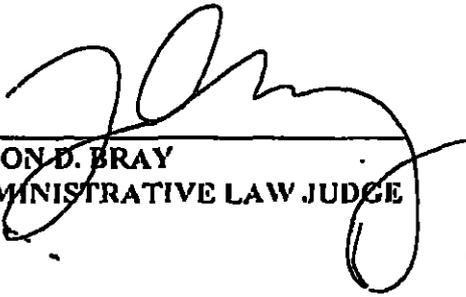
On November 30, 1999, Renzenberger, Inc., Shawnee, Kansas, ("Petitioner"), filed its Petition for Extension of Temporary Authority. Such Temporary Authority was approved by the Department on June 4, 1999.

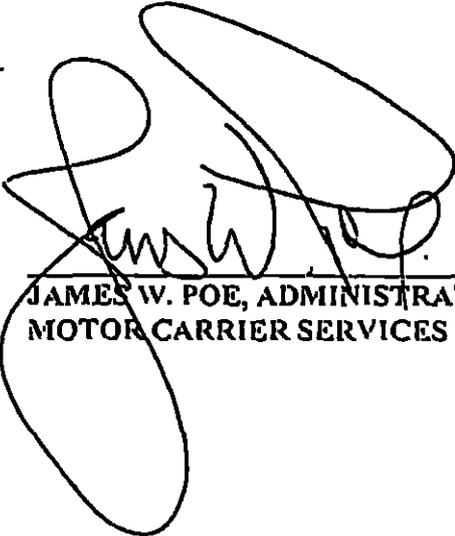
And the Indiana Department of Revenue ("Department"), being duly advised in the premises now finds that such Petition should be granted

**IT IS THEREFORE ORDERED BY THE INDIANA DEPARTMENT OF REVENUE, that:**

1. The Temporary Authority granted to Renzenberger, Inc., Shawnee, Kansas, be, and hereby is, extended until such time that the Certificate is issued, or the application is denied by the Department. If the permanent application is dismissed for any reason, this extension of temporary authority is revoked as of the date of the dismissal of the permanent application

2 This Order is effective on and after, the date of its approval

  
\_\_\_\_\_  
JASON D. BRAY  
ADMINISTRATIVE LAW JUDGE

  
\_\_\_\_\_  
JAMES W. POE, ADMINISTRATOR  
MOTOR CARRIER SERVICES DIVISION



IOWA  
CERTIFICATE  
OF  
AUTHORITY

Certificate No. CC-45\*

Date June 23, 1995

Freight     Liquid     Charter     Regular Route Passenger

Carrier Name Renzenberger, Inc.

Address Shawnee, Kansas 66203

After reviewing the application in Docket No. MC-977, the Office of Motor Carrier Services declares, pursuant to IOWA CODE Chapters 325 and 327A, that the public convenience and necessity require the public transportation operations or that all statutory requirements for a regular route passenger certificate have been completed, and said operations are described in Appendix A which is attached and is part hereof.

This certificate is specifically conditioned on:

- 1) the holder providing reasonably adequate, safe, continuous and efficient service to the public as authorized by this Certificate;
- 2) the holder complying with all safety, insurance, and other rules of the Iowa Department of Transportation and with all rules applicable to motor carriers; and
- 3) the holder complying with such other terms and conditions which are, or in the future may be, attached to the exercise of this Certificate.

Failure to comply with these conditions shall constitute grounds for alteration, suspension or revocation of this Certificate.

Office of Motor Carrier Services  
Motor Vehicle Division

By *Ruth Sklynski*  
Director

Attachment

# Appendix A

## Certificate of Public Convenience and Necessity

No. CC-45\*  
Docket No. MC-977

### AUTHORIZED SERVICE:

PASSENGERS, in-a charter operation

Between all points in Iowa

- RESTRICTED:
1. to the transportation of railroad train crews and personnel;
  2. against the transportation of baggage or freight;
  3. to vehicles with a seating capacity of 15 passengers or less

\*This certificate is being rewritten to reflect a transfer from Brown's Limousine Crew Car, Inc. issued May 28, 1986, pursuant to Docket No MC-483, which is hereby cancelled.

Dated: June 23, 1995

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

BEFORE COMMISSIONERS: MICHAEL LENNEN, CHAIRMAN  
R. C. (PETE) LOUX  
PHILLIP R. DICK

IN THE MATTER OF THE APPLICATION OF )  
RENZENBERGER, INC. OF SHAWNEE, ) DOCKET NO. 159,020-M  
KANSAS, FOR A CONTRACT CARRIER ) PERMIT NO. 19-741  
PERMIT FOR THE TRANSPORTATION OF )  
PERSONNEL OF THE MISSOURI PACIFIC )  
RAILROAD COMPANY WITHIN THE STATE )  
OF KANSAS )

ORDER

NOW, ON THIS 14TH DAY OF DECEMBER, 1983, THIS MATTER COMES BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS ON AN APPLICATION FILED BY RENZENBERGER, INC., OF SHAWNEE, KANSAS, FOR A CONTRACT CARRIER PERMIT. THE COMMISSION, HAVING EXAMINED THE APPLICATION, HEARD THE STATEMENTS OF THE HEARING EXAMINER, AND REVIEWED THE ENTIRE RECORD HEREIN, FINDS AS FOLLOWS:

THE APPLICATION FOR CONTRACT CARRIER AUTHORITY WAS RECEIVED ON SEPTEMBER 15, 1983, AND ACCEPTED FOR FILING SEPTEMBER 27, 1983. AUTHORITY WAS SOUGHT TO TRANSPORT TRAINS CREWS OF THE MISSOURI PACIFIC RAILROAD COMPANY (MOPAC)

BETWEEN POINTS AND PLACES IN WYANDOTTE, JOHNSON, MIAMI, LINN, BOURBON, CRAWFORD, CHEROKEE, FRANKLIN, ANDERSON, ALLEN, NEOSHO, LABETTE, SHAWNEE, OSAGE, COFFEY, WOODSON, WILSON, MONTGOMERY, LYON, MORRIS, DICKINSON, SALINE, MCPHERSON, ELLSWORTH, RICE AND BARTON COUNTIES, KANSAS.

RENZENBERGER ALSO FILED AN APPLICATION FOR EMERGENCY INTERIM OPERATING AUTHORITY PENDING NOTICE AND FINAL HEARING OF THIS APPLICATION FOR PERMANENT CONTRACT AUTHORITY. EMERGENCY AUTHORITY WAS GRANTED ON SEPTEMBER 21, 1983, AND REMAINS IN EFFECT AS OF THIS DATE.

IN THE APPLICATION FOR PERMANENT CONTRACT AUTHORITY, BROWN'S LIMOUSINE CREW CAR, INC., FORT WORTH, TEXAS, TIMELY FILED PROTEST BY AND THROUGH ITS ATTORNEY, WILLIAM B. BARKER.

AFTER APPROPRIATE NOTICE WAS ISSUED, THE MATTER WAS HEARD ON DECEMBER 9, 1983, BEFORE M. NADINE MARTINEZ, HEARING EXAMINER.

CLYDE H. CHRISTEY, TOPEKA, KANSAS, APPEARED ON BEHALF OF THE APPLICANT, WILLIAM BARKER, TOPEKA, KANSAS, APPEARED FOR PROTESTANT, AND JOHN JAY ROSACKER, ASSISTANT GENERAL COUNSEL, APPEARED FOR THE COMMISSION STAFF AND THE PUBLIC GENERALLY.

BILL F. RENZENBERGER, PRESIDENT OF APPLICANT CORPORATION AND JOHNNY R. CLARK, ASSISTANT TRAIN MASTER FOR MOPAC, TESTIFIED IN SUPPORT OF THE APPLICATION.

MR. RENZENBERGER TESTIFIED THE CORPORATION WAS ORGANIZED IN OCTOBER, 1983, SPECIFICALLY FOR THE PURPOSE OF PROVIDING SERVICE TO MOPAC FOR TRAIN CREWS, AND THAT THE APPLICANT IS CURRENTLY PROVIDING THIS SERVICE UNDER THE TEMPORARY AUTHORITY ISSUED BY THIS COMMISSION AND BY THE INTERSTATE COMMERCE COMMISSION. THE APPLICANT IS PRESENTLY OPERATING WITH FOUR VANS, FOUR FULL-TIME DRIVERS AND THREE PART-TIME DRIVERS.

A COPY OF EACH DRIVERS' MOTOR VEHICLE RECORD WAS SPONSORED AS EXHIBIT #3 BY MR. RENZENBERGER. SIX OF THE SEVEN DRIVERS HAD CITATION-FREE RECORDS AND THE SEVENTH HAD TWO SPEEDING VIOLATIONS IN 1982 AND A NON-CHARGABLE ACCIDENT REFLECTED ON HIS RECORD. MR. RENZENBERGER ALSO OFFERED DIRECT TESTIMONY REGARDING THE APPLICANT'S HIRING PROCEDURES, VEHICLE DAILY INSPECTIONS AND MAINTENANCE, INSURANCE AND OTHER ISSUES RELATED TO APPLICANT'S FITNESS, WILLINGNESS AND ABILITY TO RENDER SERVICE.

ON CROSS-EXAMINATION, MR. RENZENBERGER ACKNOWLEDGED THAT NO SERVICE HAD BEEN RENDERED UNDER THE KANSAS INTRA-STATE TEMPORARY AUTHORITY IN SIX OF THE COUNTIES SOUGHT IN THIS APPLICATION, BUT EXPLAINED THAT MOPAC HAD REQUESTED NO SERVICE IN THESE AREAS. HE ALSO ADMITTED THAT ALL FOUR OF HIS VANS WERE STATIONED IN PAOLA, KANSAS, AND THAT MOST MOVEMENTS WERE INTO AND OUT OF OSAWATOMIE, KANSAS. HE, HOWEVER, STATED THAT HE PLANNED TO PERMANENTLY STATION EQUIPMENT IN THE WESTERN PORTION OF HIS AUTHORITY AS THE NEED AROSE, AND WAS PLANNING TO PURCHASE TWO ADDITIONAL VANS.

MR. CLARK TESTIFIED THAT HE WAS RESPONSIBLE FOR SUPERVISION OF CLERICAL STAFF, SAFE, EFFICIENT FUNCTIONING OF THE TRAINS AND

THE TRANSPORTATION AND ASSIGNMENT OF MOPAC TRAIN CREWS IN HIS POSITION AS ASSISTANT TRAIN MASTER. HE SAID HE WAS FAMILIAR WITH THE SERVICE RENDERED BY APPLICANT UNDER ITS TEMPORARY AUTHORITY AND CHARACTERIZED THE SERVICE AS SUPERIOR TO THE SERVICE OFFERED BY OTHER CARRIERS. MR. CLARK TESTIFIED THAT APPLICANT HAD PROVIDED OVER 400 TRIPS OF SERVICE AND HAD BEEN LATE ON ONLY ONE OCCASION.

ONE WITNESS, PAUL COLLINS, AREA MANAGER FOR PROTESTANT BROWN'S LIMOUSINE CREW CAR, INC., TESTIFIED IN OPPOSITION TO THIS APPLICATION. HE STATED THAT HIS COMPANY OPPOSED THIS APPLICATION BECAUSE OF THE POTENTIAL DIVERSION OF REVENUES.

MR. COLLINS TESTIFIED THAT THE BULK OF INCOME FOR THE TRANSPORTATION OF MOPAC CREWS IS DERIVED FROM THE KANSAS CITY AREA AND WAS USED TO SUBSIDIZE SERVICE TO OTHER AREAS OF THE STATE. MR. COLLINS STATED THAT HE BELIEVED DIVERSION OF THIS REVENUE COULD JEOPARDIZE HIS COMPANY'S STATEWIDE SERVICE.

THE COMMISSION FINDS THAT APPLICANT, RENZENBERGER, INC., HAS SHOWN BY THE TESTIMONY OF ITS WITNESSES THAT IT IS FIT, WILLING AND ABLE TO RENDER THE SERVICE PROPOSED UNDER THIS APPLICATION. RENZENBERGER HAS BEEN PROVIDING THE PROPOSED SERVICE UNDER ITS TEMPORARY AUTHORITY AND HAS SHOWN THROUGH ITS WITNESS FOR THE CONTRACTING PARTY THAT THIS SERVICE HAS BEEN MORE THAN ADEQUATE. APPLICANT'S EQUIPMENT HAS BEEN SUFFICIENT TO SERVICE THE AREA SOUGHT AND FINANCIAL STATEMENTS FOR THE APPLICANT AND ITS STOCKHOLDERS SUPPORT THE TESTIMONY OF MR. RENZENBERGER THAT ADDITIONAL EQUIPMENT WILL BE PURCHASED AS NECESSARY.

THE COMMISSION FINDS THAT THE PROTESTANTS HAVE FAILED TO SHOW THAT THE SERVICE PROPOSED WOULD BE INCONSISTENT WITH PUBLIC CONVENIENCE AND NECESSITY. THIS COMMISSION HAS CONSISTENTLY HELD THAT PRESENTLY CERTIFICATED CARRIERS MUST PROVE MORE THAN THE POTENTIAL LOSS OF REVENUE IN ORDER TO CARRY THEIR BURDEN OF PROOF. THE COMMISSION ALSO FINDS THAT WHILE PROTESTANT GAVE GENERAL STATEMENTS REGARDING POSSIBLE REDUCTIONS IN THEIR PRESENT SERVICE IF REVENUE IS DIVERTED, PROTESTANT HAS NEVERTHELESS

FAILED TO PROVE SUCH CONSEQUENCES WOULD ACTUALLY OCCUR OR THAT THIS WOULD IN ANY WAY AFFECT THE PUBLIC.

THEREFORE, IT IS BY THE COMMISSION ORDERED, JUDGED AND DECREED THAT THE APPLICATION OF RENZENBERGER, INC., SHAWNEE, KANSAS, FOR A CONTRACT CARRIER PERMIT BE AND IS HEREBY GRANTED AND THAT THE APPLICANT IS AUTHORIZED TO PROVIDE SERVICE AND TRANSPORTATION OF:

TRAIN CREWS AND PERSONNEL OF THE MISSOURI PACIFIC RAILROAD COMPANY BETWEEN POINTS AND PLACES IN WYANDOTTE, JOHNSON, MIAMI, LINN, BOURBON, CRAWFORD, CHEROKEE, FRANKLIN, ANDERSON, ALLEN, NEOSHO, LABETTE, SHAWNEE, OSAGE, COFFEY, WOODSON, WILSON, MONTGOMERY, LYON, MORRIS, DICKINSON, SALINE, MCPHERSON, ELLSWORTH, RICE AND BARTON COUNTIES, KANSAS.

THIS AUTHORITY IS GRANTED ON THE CONDITION THAT CARRIER SHALL CONFORM TO THE PROVISIONS OF THE COMMISSION'S RULES PERTAINING TO PUBLICATION AND FILING OF TARIFFS SETTING FORTH HIS RATES AND CHARGES.

THIS GRANT OF AUTHORITY IS NOT TO BECOME EFFECTIVE PRIOR TO THE DATE IN WHICH THE TARIFF COVERING THE OPERATIONS OF AUTHORIZED HEARING BECOMES EFFECTIVE.

BY THE COMMISSION IT IS SO ORDERED.

LENNEN, CHMN.; LOUX, COM.; DICK, COM. I CERTIFY THE ORIGINAL COPY IS ON FILE AT THE State Central of Commerce on

JAN 19 1984

  
JUDITH McELONEY SECRETARY  
EXECUTIVE SECRETARY

DATED:

MNM: MCB

LOUISIANA PUBLIC SERVICE COMMISSION

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AS A COMMON CARRIER OF PASSENGERS BY MOTOR VEHICLE, OVER IRREGULAR  
ROUTES, IN CHARTER OR SPECIAL TYPE SERVICE

NO. 5676-A  
(Cancels Certificate No. 5676)

A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS HEREBY GRANTED TO  
RENZENBERGER, INC. whose office or place of business is at SHAWNEE, KANSAS  
authorizing operations in Louisiana intrastate commerce as a Common Carrier of  
Passengers by motor vehicle over irregular routes in the type of service and to  
the extent described following:

Pickup and delivery of train crews at actual train locations and  
rail sidings throughout the State of Louisiana.

(Rel issued to reflect sale/transfer from Brown's Limousine Crew Car, Inc  
pursuant to Order No. T-21184, dated December 12, 1994. Except for  
cause beyond control, non-operation of an authority for a period of six  
(6) months could lead to its cancellation, citing La. R. S. 45:166,  
Paragraphs B and C.)

Said: RENZENBERGER, INC. shall perform such operations under tariffs now, or  
hereafter, filed with the Commission and, in compliance with all laws and rules  
and regulations of the Commission bearing thereon.

WITNESS THE SIGNATURE AND SEAL OF THE COMMISSION AT BATON ROUGE, LOUISIANA,  
this 6th day of JANUARY, 1995.

LOUISIANA PUBLIC SERVICE COMMISSION

KATHLEEN BABINEAUX BLANCO  
Chairman

ATTEST:

JOHN F. SCHWEGMANN  
Vice Chairman

  
Secretary

THOMAS E. POWELL  
Commissioner

DON OWEN  
Commissioner

IRMA MUSK DIXON  
Commissioner

STATE OF MARYLAND



COMMISSIONERS

CATHERINE L. RILEY  
CHAIRMAN

CLAUDE M. LIGON  
SUSANNE BROGAN  
J. JOSEPH CURRAN, III

GREGORY V. CARMEAN  
EXECUTIVE DIRECTOR

RICHARD P. PAGE  
DIRECTOR

JOAN F. BAUER  
CLIFFORD WATTS  
ASSISTANT DIRECTORS

PUBLIC SERVICE COMMISSION

January 25, 2001

William M. Smith, President  
Renzenberger, Inc.  
P.O. Box 16150  
Shawnee, KS 66203

Dear Mr. Smith,

The Maryland Public Service Commission has approved, by Order No. 76714 dated January 23, 2001, your application to operate as a Charter/Contract Passenger Carrier by motor vehicles in intrastate commerce in Maryland. A copy of the order is enclosed.

Also enclosed are two blank Maryland Public Service Commission Passenger Vehicle List forms and instructions for adding or deleting vehicles to or from your service.

Your Public Service Commission Carrier Number is 2535. Please refer to this Carrier Number in any correspondence with the Commission.

Tags for the vehicles may now be obtained from the Motor Vehicle Administration, 6601 Ritchie Highway, N.E., Glen Burnie, Maryland, 21062. Your vehicle list is attached. The white copy must be presented to the MVA and the pink copy is for your records.

If you have any questions regarding licensing of your vehicle(s), please contact Ms. Janice Selig, Supervisor of the Vehicle Registration Division of the Motor Vehicle Administration, at 410-787-2991.

- 2/5 - N/A

Sincerely,

A handwritten signature in black ink, appearing to read "Richard P. Page".

Richard P. Page  
Director of Transportation

RPP/aml  
Enclosures

cc: Carrier's File #2535

WILLIAM DONALD SCHIAFFER TOWER • 6 ST. PAUL STREET • BALTIMORE, MARYLAND 21202-6806

• 410-767-8128 • Toll Free 1-800-492-0474 • FAX 410-333-6088  
• MDRS 1-800-735-2258 (TTY/Voice) • Website www.psc.state.md.us/jpc/

I hereby certify that I have examined the attached application and recommend that the same be granted.

REMARKS:

New Applicant

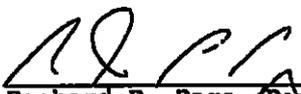
Ronzenberger, Inc.

The applicant intends to operate as a Charter/Contract Passenger Carrier, transporting passengers to all points and places within the State of Maryland, seven days per week, service on demand.

The attached comments of the Transportation Division, correspondence regarding the application, and the applicant's original application provide further information

The Transportation Division recommends that permits be issued to the applicant contingent upon the applicant's continued compliance with all the Commission's requirements pertaining to maintenance of liability insurance coverage, maintenance and repair of motor vehicles, safety of vehicle operations, furnishing of records and reports, and all other requirements contained in Section 9-202 of the Public Utility Companies Article of the Annotated Code of Maryland and the Commission's regulations

Date January 15, 2001

  
Richard P. Page, Director of Transportation

ORDER NO 76714

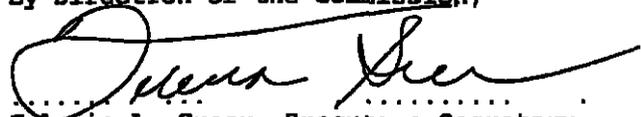
In the Matter of the Application of  
Ronzenberger, Inc.  
FOR PERMITS FOR THE OPERATION OF  
MOTOR VEHICLES FOR PUBLIC USE.

\*  
\*  
\*  
\*  
\*  
\*  
BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF MARYLAND

The above-named application and recommendation having been duly considered, it is this 23rd day of January, 2001, by the Public Service Commission of Maryland,

ORDERED That the same be granted and that the permits applied for be issued.

ORDERED: The applicant's request for operating authority be approved and that permits be issued contingent upon the applicant's continued compliance with the Commission's requirements pertaining to maintenance of adequate liability insurance coverage, maintenance and repair of motor vehicles, safety of the vehicle operation, furnishing of records and reports, and all other requirements contained in Section 9-202 of the Public Utility Companies Article of the Annotated Code of Maryland and the Commission's regulations.

By Direction of the Commission,  
  
Felicia L. Greer, Executive Secretary

# CERTIFICATE OF AUTHORITY

RENZENBERGER INC  
14325 W 95th Street  
Lenexa, KS 66215

MDOT L0888

Pursuant to Public Act 271 of 1990, authority is granted to transport, by limousine, between the following points in Michigan:

## INTRASTATE

To operate as a Limo Carrier of Passengers, by limousine, as defined in Act 271, transporting passengers, in charter operations, beginning and ending at all points in Michigan.

By: *David O'Suchan*

David O'Suchan, Supervisor  
Regulatory Unit  
Technical Assistance and Regulatory Section  
Passenger Transportation Division  
July 25, 2001

This authority is renewable annually per Sections 19 and 21 of Public Act 271.

Note: Copy to be carrier with each limousine operated under authority of this Department.

Address Change: 7/20/06



# MDOT

Michigan Department of Transportation

# CERTIFICATE of AUTHORITY

RENZENBERGER, INC  
5720 Reeder  
Shawnee, KS 66203

MDOT L0888  
Reinstatement

Pursuant to Public Act 271 of 1990, authority is granted to transport by limousine between the following points in Michigan:

## INTRASTATE

To operate as a "Limo Carrier of Passengers" by limousine, as defined in Act 271, transporting passengers, in charter operations, beginning and ending at all points in Michigan.

By:



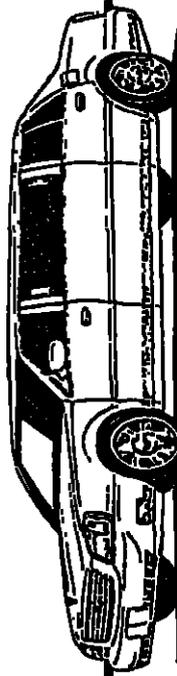
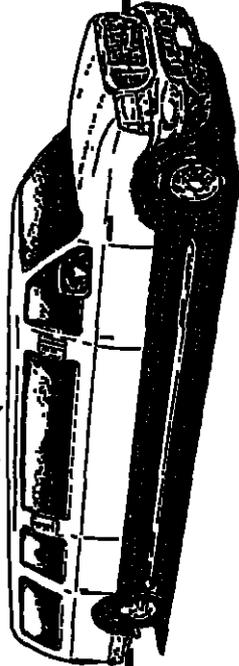
David O. Sucha, Supervisor  
Regulatory Unit  
Technical Assistance and Regulatory Section  
Passenger Transportation Division  
Urban and Public Transportation

May 6, 2004

This authority is renewable annually per Sections 19 and 21 of Public Act 271

Note: Copy to be carried with each limousine operated under authority of this Department.

Reinstatement 5/6/04



**MDOT**  
Michigan Department of Transportation



STATE OF MISSOURI  
DIVISION OF MOTOR CARRIER AND RAILROAD SAFETY

301 West High Street  
Post Office Box 1216  
Jefferson City, Missouri 65102-1216

CERTIFICATE AND PERMIT

FILE NUMBER: 1170  
REGISTRANT: Renzenberger, Inc.  
D/B/A, IF APPLICABLE:  
CITY: Shawnee  
STATE: Missouri

*The above-named carrier has complied with the Division's requirements for issuance of this document. This document supersedes and cancels the certificate issued by this Division for 1170. The term "registered property carrier" is included within the term "common carrier" as defined in section 390.020, RSMo and includes motor carrier operations authorized under Sections 390.250 to 390.350 and 622.600 to 622.620, RSMo Supp 1996. This carrier is authorized to engage in transportation as follows:*

**INTRASTATE: Certificate**

Irregular:

Transportation of railroad crew members in charter and special operation services for Missouri Pacific Railroad Company in motor vehicles designed for capacity of not more than 15 passengers, excepting the driver, in van-type equipment between all points and places in Missouri irrespective of the location of such points on the routes of regular route carriers or between points on the routes of two or more regular route common carriers where through or joint service has been authorized or established between such regular route common carriers. Effective January 10, 1986

Charter Service—Irregular:

Transportation of passengers and their baggage between all points and places in Missouri. Effective February 19, 1987

**INTERSTATE: Permit**

To operate as a motor carrier on Missouri highways, exclusively in interstate commerce, in the transportation of passengers and their baggage as authorized by the Interstate Commerce Commission under Docket No MC-170517 Effective January 1, 1995.

Dated, 1/27/98  
At Jefferson City, Missouri

Stephen R. Waters  
Division Director

DIVISION OF TRANSPORTATION

STATE OF MISSOURI

\* \* \*

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AND INTERSTATE PERMIT

NO. 1170

RENZENBERGER, INC.

Shawnee, Kansas 66203

It appearing that the above-named carrier has complied with all applicable provisions of Chapter 390, R.S., Missouri, and the requirements, rules, and regulations prescribed thereunder, and therefore, is entitled to receive a certificate from this Division to engage in the business of a common carrier in intrastate commerce on the public highways in this state.

It is made a condition of this certificate that the holder thereof shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure to do so shall constitute sufficient grounds for suspension, change, or revocation of this certificate.

The transportation service to be performed as a common carrier shall be as specified below:

**INTRASTATE:**

**Irregular:**

Transportation of railroad crew members in charter and special operation services for Missouri Pacific Railroad Company in motor vehicles designed for capacity of not more than fifteen (15) passengers, excepting the driver, in van-type equipment between all points and places in Missouri irrespective of the location of such points on the routes of regular route carriers or between points on the routes of two or more regular route common carriers where through or joint service has been authorized or established between such regular route common carriers. Effective January 10, 1986.

**Charter Service - Irregular:**

Passengers and/or baggage between all points in Missouri.  
Effective: February 19, 1987.

**INTERSTATE:**

To operate as a motor carrier over the highways of this State, exclusively in interstate commerce, in the transportation of passengers and their baggage as authorized by the Interstate Commerce under Docket No. MC-170517 and subs thereunder.

This Certificate includes a grant of charter service issued in Case No. C-86-213, File No. B-59,075, Sub 1, and supersedes and cancels Certificate of Public Convenience and Necessity and Interstate Permit No. 1170 issued January 9, 1986.

Division of Transportation  
State of Missouri

*Stephen T. Walker*

Stephen T. Walker  
Director of Transportation

( S E A L )

Dated at Jefferson City, Missouri,  
this 18th day of February, 1987.

STATE OF MISSOURI

DIVISION OF TRANSPORTATION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Division of Transportation at Jefferson City, this 18th day of February, 1987.

*Stephen T. Walker*

---

Stephen T. Walker  
Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Application No. B-1325  
and Supplement No. 4

Renzenberger, Inc.  
P.O. Box 16150  
Shawnee, KS 66203

AFTER DUE INVESTIGATION, it is hereby certified that the above named carrier has complied with all applicable provisions of Sections 75-301 to 75-322.04, R.R.S. 1943, as amended, and the requirements, rules and regulations prescribed thereunder, and therefore, is entitled to receive authority from the Nebraska Public Service Commission to engage in transportation in Nebraska intrastate commerce as a motor carrier.

IT IS CERTIFIED, that pursuant to the Commission's Order the said carrier be, and it is hereby, issued this Certificate of Public Convenience and Necessity as evidence of the authority of the holder to engage in transportation in Nebraska intrastate commerce as a common carrier by motor vehicle; subject, however, to such terms, conditions and limitations as are now, or may hereafter be, attached to the exercise of the privileges granted to the said carrier.

AND IT IS FURTHER CERTIFIED, that the transportation service to be performed by the said carrier in Nebraska intrastate commerce shall be as specified below:

**SERVICE AND TERRITORY AUTHORIZED:**

Union Pacific Railroad train crews, their baggage and train list documents between points in Nebraska on and east of U.S. Highway 83 over irregular routes. Restriction: Restricted to service provided in mini bus/van-type vehicles, and further restricted against any operation in Richardson County.

**SUPPLEMENT NO. 2**

**SERVICE AND TERRITORY AUTHORIZED:**

Union Pacific Railroad train crews and their baggage between points in Richardson County, and between points in Richardson County and points in Nebraska over irregular routes.

**SUPPLEMENT NO. 3**

**SERVICE AND TERRITORY AUTHORIZED:**

Burlington Northern Railroad service crews between points within a 300-mile radius of Alliance over irregular routes.

**SUPPLEMENT NO. 4**

**SERVICE AND TERRITORY AUTHORIZED:**

Dakota, Minnesota & Eastern Railroad Corporation in the transportation of train crews and their baggage between points within a 300-mile radius of Alliance over irregular routes under continuing contracts with Dakota, Minnesota & Eastern Railroad Corporation.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

---

ISSUED at Lincoln, Nebraska, this 9th day of February, 1998,  
pursuant to Order of February 9, 1998.

S  
E  
A  
L



Lowell Johnson  
Chairman

**CERTIFIED COPY**

**PUBLIC SERVICE COMMISSION OF NEVADA**

**ORDER AND PERMIT**

RENZENBERGER, INC.

PSC 6002  
Docket No. 87-441

The Public Service Commission of Nevada finds that the above-named carrier has complied with this Commission's Compliance Order dated June 1, 1987, and therefore is entitled to receive authority from this Commission to engage in transportation in intrastate commerce as a motor carrier.

IT IS ORDERED That Renzenberger, Inc., is hereby granted this Contract Carrier Permit as evidence of the authority of the holder to engage in transportation in intrastate commerce as a contract carrier by motor vehicle subject to applicable statutes and rules and regulations of the Commission, and such terms, conditions and limitations as are now or may hereafter be attached to the exercise of the privileges herein granted.

IT IS FURTHER ORDERED and made a condition of this Permit that the holder shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure to do so shall constitute sufficient grounds for suspension, modification or revocation of this Permit.

IT IS FURTHER ORDERED That nothing contained herein shall be construed to be either a franchise or irrevocable and that failure to comply with rules, regulations and orders of the Commission and applicable statutory provisions shall constitute sufficient grounds for suspension or revocation of this Permit.

IT IS FURTHER ORDERED That this Permit shall not be sold or transferred without the Commission's prior approval

IT IS FURTHER ORDERED That the transportation service to be performed by said carrier shall be as specified below:

On-call, irregular route transportation of train crews, between points and places in Clark, Lincoln and Nye Counties, Nevada, under continuing contract with Union Pacific Railroad

Requirement for cargo insurance waived by the Commission.

Current contract must be on file with the Commission.

IT IS FURTHER ORDERED That prior to providing service under a new contract or in the event there are any agreements between the parties to amend or change the rates either up or down, the new contract or proposal shall be submitted to the Commission for its approval not less than thirty (30) days before the anticipated effective date.

IT IS FURTHER ORDERED That cancellation of the contract will automatically revoke this Permit.

IT IS FURTHER ORDERED That the Commission retains jurisdiction for the purpose of correcting any errors which may have occurred in the drafting or issuance of this Contract Carrier Permit.

By the Commission,

  
SCOTT H. CRAIGIE, Chairman

Attest:   
WILLIAM H. VANCE, Secretary

Dated: Carson City, Nevada  
June 16, 1987

(SEAL)

TRANSPORTATION SERVICES AUTHORITY OF NEVADA

ORDER AND PERMIT

RENZENBERGER, INC

MV 6002  
Docket No 99-3018

The Transportation Services Authority of Nevada ("Authority") finds that the above-named carrier has complied with this Authority's Amended Compliance Order dated March 3, 2000, the findings of fact and conclusions of law which are hereby incorporated by this reference, and therefore is entitled to receive authority from this Authority to engage in transportation in intrastate commerce as a motor carrier.

IT IS ORDERED that Renzenberger, inc, is hereby granted this Contract Carrier Permit as evidence of the authority of the holder to engage in transportation in intrastate commerce as a contract carrier by motor vehicle subject to applicable statutes, rules and regulations of the Authority, and such terms, conditions and limitations as are now or may hereafter be attached to the exercise of the privileges herein granted

IT IS FURTHER ORDERED and made a condition of this Permit that the holder shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure to do so shall constitute sufficient grounds for suspension, modification or revocation of this Permit.

IT IS FURTHER ORDERED that nothing contained herein shall be construed to be either a franchise or irrevocable and that failure to comply with rules, regulations and orders of the Authority and applicable statutory provisions shall constitute sufficient grounds for suspension or revocation of this Permit

IT IS FURTHER ORDERED that this authority shall not be sold or transferred without the Authority's prior approval

IT IS FURTHER ORDERED that the transportation service to be performed by said carrier shall be as specified below

On-call irregular route transportation of train crews, between points and places in Clark, Lincoln, Nye, Washoe, Churchill, Pershing, Lyon, Storey and Humboldt Counties, Nevada, on the one hand, and points and places in Nevada on the other hand, under continuing contract with Union Pacific Railroad

RESTRICTED AGAINST THE TRANSPORTATION OF TRAIN CREWS BETWEEN POINTS AND PLACES IN:

Elko County, Eureka County, Lander County, White Pine County, that portion of Humboldt County east of, and including Golconda, Nevada and 30 miles south of Golconda, Nevada into Pershing County, Nevada and transportation services originating within Elko County; and

EXCEPT transportation is prohibited from originating in Winnemucca, Nevada, and

EXCEPT transportation is prohibited from points and places in Nevada to Winnemucca, Nevada when the shipper has arranged in advance with a taxicab motor carrier based in Winnemucca to transport a train crew from a destination within Nevada and return from that destination to Winnemucca, Nevada

Current contracts must be on file with the Authority

IT IS FURTHER ORDERED that prior to providing service under a new contract or in the event there are any agreements between the parties to amend or change the rates either up or down, the new contract or proposal shall be submitted to the Authority for its approval not less than thirty (30) days before the anticipated effective date.

IT IS FURTHER ORDERED that the Authority retains jurisdiction for the purpose of correcting any errors, which may have occurred in the drafting or issuance of this Contract Carrier Permit

By the Authority,

  
PAUL J. CHRISTENSEN, Chairman

Attest:

  
DAVE KIMBALL, Deputy Commissioner

Dated: Las Vegas, Nevada

(SEAL) March 13, 2000



STATE CORPORATION COMMISSION OF NEW MEXICO

*Certificate of Registration*

NO. 44668

PURSUANT TO ORDER OF THE NEW MEXICO STATE CORPORATION COMMISSION,  
A CERTIFICATE OF REGISTRATION IS HEREBY GRANTED  
RENZENBERGER INC

WHOSE PLACE OF BUSINESS IS

5 NORTH SILVER, PAOLA, KS 66071

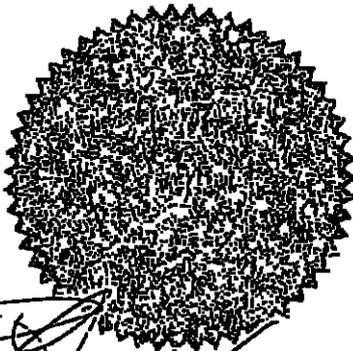
TO ENGAGE IN THE OPERATION OF A MOTOR CARRIER SERVICE IN  
INTERSTATE COMMERCE EXCLUSIVELY AS FOLLOWS, UNDER THE PROVISIONS  
OF SECTION 65-2-115 NEW MEXICO STATUTES, 1978 ANNOTATED, SUBJECT TO:

I.C.C. CERTIFICATE NO. MC-170517 SUB 1, DATED NOVEMBER 19, 1984.

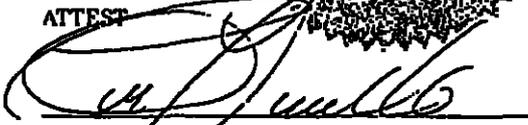
TRANSPORTING PASSENGER, IN CHARTER AND SPECIAL OPERATIONS, BE-  
TWEEN POINTS IN THE UNITED STATES.

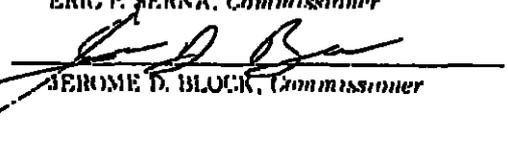
THIS CERTIFICATE TO REMAIN IN EFFECT FROM AND AFTER DATE HEREOF, SUBJECT  
TO APPLICABLE PROVISIONS OF THE NEW MEXICO MOTOR CARRIER ACT, AND RULES,  
REGULATIONS AND REQUIREMENTS PRESCRIBED THEREUNDER, AND ISSUED PURSUANT  
TO APPLICATION DATED OCTOBER 16, 1991.

WITNESS THE SIGNATURE AND SEAL OF THE COMMISSION AT SANTA FE, NEW MEXICO  
THIS 24TH DAY OF OCTOBER, 1991.



ATTEST

  
CARLOS L. TARAMILLO, Director

  
LOUIS E. GALLEGOS, Chairman  
  
ERIC P. BERNA, Commissioner  
  
JEROME D. BLOCK, Commissioner

ORDER NO. ... 276101



CERTIFICATE NO. MC... 63564

Not Transferable

### Corporation Commission of Oklahoma

MOTOR CARRIER CERTIFICATE

WHEREAS: ... RENZENBERGER, INC. ... of the City of ... SHAWNEE ... State of ... KANSAS

has complied with all requirements of the Corporation Commission of Oklahoma prescribed pursuant to the laws of the State of Oklahoma and has been granted a Certificate to operate as an

IRREGULAR ROUTE, FREIGHT, INTERSTATE ... Motor Carrier

### ORDER

"In accordance with the authority issued by the Interstate Commerce Commission in its Docket No. MC 170517, Sub 1."

WHEREFORE: This Certificate is to be and remain in full force and effect from date, under and by virtue of the Laws of Oklahoma and the orders of the Corporation Commission of Oklahoma; the holder hereof being subject to all Rules and Regulations heretofore prescribed or that may hereafter be prescribed by said Commission in pursuance of its authority under said Laws and said Corporation Commission reserves to itself authority to suspend and or cancel any such certificate for the violation, on the part of the applicant or any operator or operators of any motor vehicles to be operated thereunder, of any law of the State of Oklahoma or any rule or regulation adopted by said Commission.

Dated at Oklahoma City this: ... 15 ... day of ... APRIL ... 19 85

(SEAL)

and duly witnessed and sealed

By: *[Signature]*  
Secretary

By: *[Signature]*  
Chairman

(A copy of Certificate must be carried in each powered vehicle)

RAILROAD COMMISSION OF TEXAS  
TRANSPORTATION/GAS UTILITIES DIVISION

DOCKET NO. 003066BA1CB

DATE ISSUED: August 14, 1989

PERMIT NO. 3066B

CONTRACT MOTOR BUS PERMIT

RENZENBERGER, INC.  
5730 Hauser Street  
P.O. Box 3595  
Shawnee, Kansas 66203

having complied with all the requirements of Chapter 314, Acts of the Regular Session of the Forty-First Legislature, 1929, as amended, applicable to Contract Motor Bus Carriers and having declared an intention not to operate as a Common Carrier, is entitled to and is hereby granted a permit to operate as an Contract Motor Bus Carrier within the State of Texas and within the territory as follows:

TO TRANSPORT:

RAILROAD TRAIN CREWS; TERRITORY: Between all points in Texas;  
RESTRICTED: To service under a continuing contract(s) with Union Pacific Railroad.

This permit is to be limited strictly to the transportation of the above-described passengers from and to the points set out above and for the firm or firms named in the contracts. This permit may be amended pursuant to Commission rules by the submission of contracts with additional shippers for Commission review and approval.

This permit to remain in effect from and after the date hereof, subject to the provisions of Chapter 314, Acts Regular Session of

the Forty-First Legislature, 1929, as amended; all applicable laws of the State of Texas; the further orders of the Commission; and the rules and regulations of the Railroad Commission of Texas, heretofore prescribed or which may be hereafter prescribed under and pursuant to the authority conferred upon it by law.

RAILROAD COMMISSION OF TEXAS

*Frank Hanel*  
\_\_\_\_\_  
CHAIRMAN

*John Sharp*  
\_\_\_\_\_  
COMMISSIONER

*James H. Hays*  
\_\_\_\_\_  
COMMISSIONER

ATTEST:

*Ray Dennis*  
\_\_\_\_\_  
601 SECRETARY  
CAA/rp

# **EXHIBIT 3**

Hallcon

**US Operating Permits**

<b>US DOT Permit</b>	<b>A</b>
<b>Pennsylvania Contract Carrier Permit</b>	<b>B</b>
<b>Iowa Motor Carrier Certificate</b>	<b>C</b>
<b>Missouri Motor Carrier Services Permit</b>	<b>D</b>
<b>Indiana Motor Vehicle Contract Carrier Permit</b>	<b>E</b>
<b>Arkansas Contract Carrier Permit</b>	<b>F</b>
<b>Louisiana Contract Carrier Permit</b>	<b>G</b>
<b>Alabama Contract Carrier Authority</b>	<b>H</b>
<b>Kentucky (PENDING see Report)</b>	<b>I</b>

(A)



U S Department of Transportation  
Federal Motor Carrier Safety Administration

400 7th Street SW  
Washington, DC 20590

**SERVICE DATE**  
September 16, 2004

**CERTIFICATE**  
**MC-474586-C**  
**HALLCON CREW TRANSPORT INC**  
**TORONTO, ON, CD**

**This Certificate is evidence of the carrier's authority to engage in transportation as a common carrier of passengers, in charter and special operations, by motor vehicle in interstate or foreign commerce**

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 387), the designation of agents upon whom process may be served (49 CFR 366), and schedules (49 CFR 374 305) The carrier shall also render reasonably continuous and adequate service to the public. Failure to maintain compliance will constitute sufficient grounds for revocation of this authority

A handwritten signature in black ink, appearing to read "Angel Sebastian".

Angel Sebastian, Chief  
Information Systems Division

**NOTE: Applicant is a nonrecipient of governmental financial assistance**

**NOTE: Willful and persistent noncompliance with applicable safety fitness regulations as evidenced by a DOT safety fitness rating of "Unsatisfactory" or by other indicators, could result in a proceeding requiring the holder of this certificate or permit to show cause why this authority should not be suspended or revoked**

CPN

(A)



U S Department of Transportation  
Federal Motor Carrier Safety Administration

1200 New Jersey Ave , S E.  
Washington, DC 20590

**SERVICE DATE**  
May 06, 2011

**PERMIT**  
**MC-474586-P**  
**HALLCON CREW TRANSPORT INC**  
**TORONTO, ON, CA**

This Permit is evidence of the carrier's authority to engage in transportation as a contract carrier of passengers by motor vehicle in interstate or foreign commerce.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 387), the designation of agents upon whom process may be served (49 CFR 366), and tariffs or schedules (49 CFR 1312). Failure to maintain compliance will constitute sufficient grounds for revocation of this authority.

Service must be performed under a continuing agreement with one or more persons.

A handwritten signature in black ink, appearing to read "Jeffrey L. Secrist".

Jeffrey L. Secrist, Chief  
Information Technology Operations Division

**NOTE:** Willful and persistent noncompliance with applicable safety fitness regulations as evidenced by a DOT safety fitness rating of "Unsatisfactory" or by other indicators, could result in a proceeding requiring the holder of this certificate or permit to show cause why this authority should not be suspended or revoked

PPO

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

IN THE MATTER OF : A-64124464

*Hallcon Crew Transport, Inc., for the right to begin to transport, as a contract carrier, by motor vehicle,  
employees of Canadian Pacific Railway, between points in Pennsylvania. A-2012-2294015*

EFFECTIVE DATE: July 17, 2012

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing, it has found and determined that the granting of the application is proper for the convenience and safety of the public and hereby issues to the applicant this **CONTRACT CARRIER PERMIT** evidencing the Commission's approval to operate.

*In Witness Whereof*, The PENNSYLVANIA PUBLIC UTILITY COMMISSION  
has caused these presents to be signed and sealed, and duly attested by its Secretary  
at its office in the city of Harrisburg this 17<sup>th</sup> day of July, 2012.

  
Secretary

(B)

11/02/2011 10:26 FAX 5152373354

②



Iowa Department of Transportation

Office of Motor Carrier Services, Park Fair Mall, 100 Euclid Ave., PO Box 10302, Des Moines, IA 50306-0302

**IOWA MOTOR CARRIER CERTIFICATE**

PH 515-237-3224

Form 441063  
FAX 515-237-3354

Authority type:  
Charter route (passenger)

BETWEEN ALL POINTS IN IOWA  
LIMITED TO NON-COMMERCIAL VEHICLES

HALLCON CREW TRANSPORT INC  
5775 YONGE STREET STE 1010  
TORONTO, ON M2M4J1

Issue Date: 11/02/2011  
US DOT Number: 1188236  
MC Number: 747586

**Certificate to be carried in the vehicle.**

This certificate is non-expiring as long as the carrier is in compliance with 325A of the Iowa Code and Chapter b24 of the Administrative Rules.

A copy of this certificate must be carried in each motor vehicle operating under the carrier's Iowa intrastate authority and must be made available for inspection upon request. Failure to do so is a violation and subject to penalty.

The original certificate should be kept in the carrier's office in the event the copy carried in the vehicle is lost or stolen. Duplicate certificates are available from the Iowa DOT-Office of Motor Carrier Services upon payment of the \$25 fee.

**Marking The Motor Vehicle**

The carrier's USDOT Number is the intrastate authority certificate number. Motor Carrier's operating intrastate only must display the following:

Name of Motor Carrier  
Town and State  
USDOT Number followed by IA

Motor Carrier's operating both intrastate and interstate must display the following:

Name of Motor Carrier  
(The town, state and ICC-MC number are not required but may be included at the carrier's option)  
USDOT Number

Lettering must be on both sides of the vehicle and visible from a distance of at least 50 feet and in a color contrasting the background.

D



Missouri Department of Transportation

**Motor Carrier Services**

1320 Creek Trail Drive, P.O. Box 893

Jefferson City, MO 65102-0893

(866)831-6277 or (573)751-7100

**PERMIT**

File No: USDOT 1188236

Name: HALLCON CREW TRANSPORT INC

D/B/A:

City: TORONTO

Expiration Date: Not Applicable

State: ON

Effective Date: April 06, 2012

The Department has determined that the above-named carrier is qualified to be a registered motor carrier as provided in Sections 390.250-390.350 and 622.600-622.620, RSMo, and is in compliance with the applicable requirements for issuance of this document. Beginning on the effective date shown above, this carrier may engage in transportation for hire as follows:

**INTRASTATE: Permit**

Transportation of passengers and their baggage between all points and places in Missouri.

**Opportunity for Hearing:** You may request a hearing on the validity or correctness of this grant of operating authority. Requests for hearing shall be filed in writing, not later than 30 days after the effective date shown above, with the Missouri Administrative Hearing Commission, Truman Building, Room 640, 301 W. High St., P.O. Box 1557, Jefferson City, MO 65102-1557 Telephone (573) 751-2422. Fax (573) 751-5018

Issued at 1320 Creek Trail Drive

Post Office Box 893

Jefferson City, MO 65102-0893

On April 05, 2012

A handwritten signature in cursive script, reading "E. Alan Spady", written over a horizontal line.

Director of Motor Carrier Services

(E)

# STATE of INDIANA



INDIANAPOLIS, IN 46241-9524

Department of Revenue  
Motor Carrier Services Division  
5252 Decatur Blvd., STE. R

## PERMIT

NO. 1188236

This is to certify that this Permit has been issued to:

**HALLCON CREW TRANSPORT INC  
TORONTO, CANADA**

authorizing, per Order dated May 10, 2012, the operation of motor vehicles as a contract carrier as follows:

### Passengers.

Between points in Indiana.

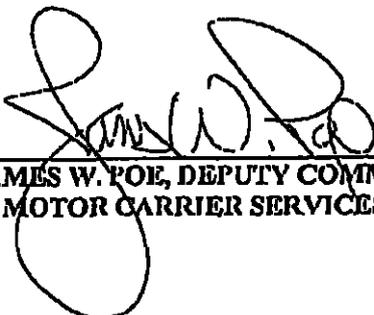
**RESTRICTION:** Restricted to transportation of passengers in vehicles designed or used to transport fifteen (15) passengers or less, including the driver.

**RESTRICTION:** The applicant is further restricted to the transportation of passengers under contract with Canadian Pacific Railway and Canadian National Railway Company.

This Permit shall remain in full force and effect unless and until amended, suspended, cancelled, or revoked by Order of the Indiana Department of Revenue.

Dated this 26<sup>th</sup> day of June, 2012.



  
\_\_\_\_\_  
JAMES W. POE, DEPUTY COMMISSIONER  
MOTOR CARRIER SERVICES DIVISION

⑤

BEFORE THE  
ARKANSAS STATE HIGHWAY COMMISSION

IN THE MATTER OF APPLICATION OF )  
HALLCON CREW TRANSPORT, INC. ) PERMIT NO. M-58275  
FOR AUTHORITY AS A CONTRACT )  
CARRIER, INTRASTATE )

REPORT AND ORDER

By application filed August 10, 2012, by Hallcon Crew Transport, Inc , a Delaware corporation authorized to do business in the State of Arkansas, with the Arkansas State Highway Commission, seeks authority to operate as a contract carrier by motor vehicle in intrastate commerce transporting passengers, under continuing contract(s) between all points and places in the State of Arkansas, over irregular routes, as set forth in the application and notice of hearing.

There were no protests filed to the application, and after due notice the matter was heard by the Commission's duly-appointed Hearing Officer on September 14, 2012. The hearing was held pursuant to the Commission's rules and regulations at its hearing offices, Arkansas Highway and Transportation Department, Little Rock, Arkansas.

FINDINGS

Upon full consideration of the evidence and all matters and things involved herein, and being well and sufficiently advised in the premises, we find the requested service to be in the public interest and in furtherance of the state transportation policy. The applicant is fit, willing and able properly to perform the proposed service and to conform to the requirements of the Motor Carrier Act and rules and regulations thereunder. We further find that the application should be granted.

ORDER

IT IS, THEREFORE, ORDERED, that the application of Hallcon Crew Transport, Inc., a Delaware corporation authorized to do business in the State of Arkansas, for authority to operate as a contract carrier motor vehicle, in intrastate commerce, be, and is hereby granted, subject to such conditions and limitations as are now or may hereafter be attached to the exercise of the privileges herein granted.

IT IS FURTHER ORDERED that the transportation service to be performed by said carrier in intrastate commerce shall be as specified below:

IRREGULAR ROUTES:

Passengers, under continuing contract(s),

Between all points and places in the State of Arkansas, over irregular routes.

(F)

IT IS FURTHER ORDERED, and made a condition of this certificate, that the holder shall comply with all rules and regulations of the State of Arkansas concerning the operation of a vehicle over the highways of this State.

IT IS FURTHER ORDERED that the applicant shall file, and maintain on file with the Commission, its individual tariff or tariffs, naming rates and charges initial publication of which is hereby authorized upon one day's notice

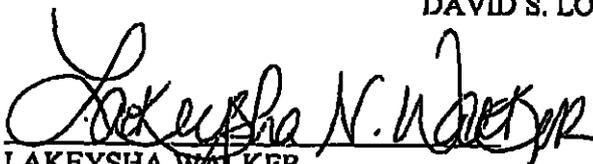
IT IS FURTHER ORDERED, and is made a condition of this authority, that the holder thereof shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure to do so shall constitute sufficient grounds for change, revocation, or suspension of this authority.

IT IS FURTHER ORDERED that unless compliance is made by applicant within the requirements of Ark. Code Ann. §23-13-201 et seq., within 90 days after date of entry hereof, or within such additional time as may be authorized by the Commission, the grant of authority made in this Report and Order shall be considered as null and void and the application shall stand denied in its entirety, effective upon the expiration of said compliance time.

Entered this 14th day of September, 2012.

BY ORDER OF THE COMMISSION:

  
\_\_\_\_\_  
DAVID S. LONG, HEARING OFFICER

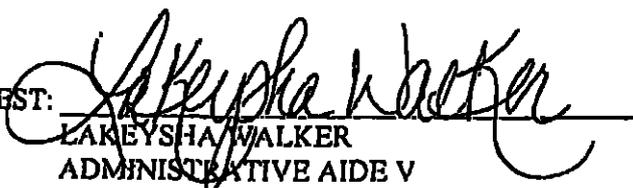
ATTEST:   
LAKEYSHA WALKER  
ADMINISTRATIVE AIDE V

(F)

Approved and ratified on behalf on the Arkansas State Highway Commission this 14<sup>th</sup> day of September, 2012

BY ORDER OF THE COMMISSION

  
RITA S. LOONEY, CHIEF LEGAL COUNSEL

ATTEST:   
LAKEYSHA WALKER  
ADMINISTRATIVE AIDE V

9

LOUISIANA PUBLIC SERVICE COMMISSION

CONTRACT CARRIER PERMIT

NO. 1684

A PERMIT TO OPERATE IN LOUISIANA INTRASTATE COMMERCE AS A CONTRACT CARRIER BY MOTOR, SERVING NOT MORE THAN FIVE PARTIES UNDER THE PROVISIONS OF TITLE 45 CHAPTER 4 OF THE REVISED STATUTES OF 1950, IS HEREBY GRANTED TO HALLCON CREW TRANSPORT, INC. whose office or place of business is in OAK BROOK, ILLINOIS to operate as follows:

Transportation as a nonscheduled, charter, passenger service using vehicles which meet manufacturer's specifications for no more than fifteen passengers.

(Issued pursuant to L.R.S. 45.164(c) and the rules and regulations of the Louisiana Public Service Commission. Except for cause beyond control, non-operation of an authority for a period of six (6) months could lead to its cancellation pursuant to La. R.S. 45.166, Paragraphs B and C.)

Said HALLCON CREW TRANSPORT, INC. shall so operate for parties authorized under contracts copies of which are to be filed with the Louisiana Public Service Commission, subject to rules and regulations of the Commission bearing thereon.

WITNESS THE SIGNATURE AND SEAL OF THE COMMISSION AT BATON ROUGE, LOUISIANA, ON THIS 1<sup>ST</sup> DAY OF OCTOBER 2012.

LOUISIANA PUBLIC SERVICE COMMISSION

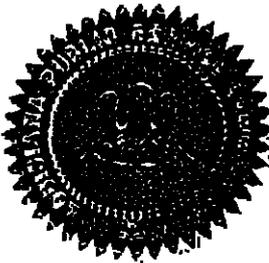
/S/ FOSTER L. CAMPBELL  
DISTRICT V  
CHAIRMAN FOSTER L. CAMPBELL

/S/ JAMES M. FIELD  
DISTRICT II  
VICE CHAIRMAN JAMES M. FIELD

/S/ ERIC F. SKRMETTA  
DISTRICT I  
COMMISSIONER ERIC F. SKRMETTA

/S/ LAMBERT C. BOISSIERE, III  
DISTRICT III  
COMMISSIONER LAMBERT C. BOISSIERE, III

/S/ CLYDE C. HOLLOWAY  
DISTRICT IV  
COMMISSIONER CLYDE C. HOLLOWAY



Eva Kaha-Gonzalez  
EVA KAHAO GONZALEZ  
SECRETARY

(H)



STATE OF ALABAMA  
ALABAMA PUBLIC SERVICE COMMISSION  
PO BOX 304260  
MONTGOMERY, ALABAMA 36130-4260

LUCY BAXLEY, PRESIDENT  
TWINKLE ANDRESS CAVANAUGH, ASSOCIATE COMMISSIONER  
TERRY L. DUNN, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.  
SECRETARY

HALLCON CREW TRANSPORT, INC.,

DOCKET 31920

Applicant

PERMIT 645

REPORT AND ORDER

By application filed on or about August 2, 2012, as restrictively amended, Hallcon Crew Transport, Inc. ("Hallcon"), a Delaware corporation, 5775 Yonge Street, Suite 1010, Toronto, Ontario M2M 4J1, seeks authority to institute a new operation as a contract carrier by motor vehicle in intrastate commerce over irregular routes in the transportation of:

Passengers between all points in Alabama.

**RESTRICTION:**

Restricted to the transportation of passengers who are exclusively employed by railroads.

Pursuant to notice dated October 12, 2012, the application was heard on November 1, 2012. Notices of intention to protest were received from Sylacauga Deluxe Cab Company, Inc. ("Sylacauga Deluxe Cab"), Doan's Taxi Company, Inc., d/b/a Comer Taxi Company ("Dean's Taxi"); and Professional Transportation, Inc. ("Professional Transportation"). At the hearing, the Applicant restrictively amended its application to the transportation of passengers between Mobile and Baldwin Counties, Alabama. The Applicant further restrictively amended its application to the transportation of passengers who are exclusively employed by CN<sup>1</sup> Railway and its subsidiaries. Upon acceptance of the restrictive amendments, Sylacauga Deluxe Cab, Dean's Taxi and Professional Transportation withdrew their protests and the application of Hallcon came on for hearing unopposed.

<sup>1</sup> Illinois Central Railroad Company, Grand Trunk Western Railroad Company, Chicago, Central & Pacific Railroad Company; Wisconsin Central Ltd; Elgin, Joliet and Eastern Railway Company; Duluth, Missabe and Iron Range Railway Co., Duluth Winnipeg and Pacific Railway Company, Bessemer and Lake Erie Railroad Co.; Cedar River Railroad Company; The Pittsburgh and Conneaut Dock Company, Sault Ste. Marie Bridge Company, and Waterloo Railway Company (collectively referred to herein as "CN")

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(H)

DOCKET 31920- #2

It appears from the record in this proceeding, and we find, that the Applicant is fit, willing and able to properly perform the service of a contract carrier by motor vehicle and to conform with the provisions of the Alabama Motor Carrier Act and the Commission's motor carrier rules and that the proposed service, as restrictively amended herein, will be consistent with the public interest.

IT IS, THEREFORE, ORDERED BY THE COMMISSION, That Motor Carrier Permit Number 645 is hereby issued to Hallcon Crew Transport, Inc., 5775 Yonge Street, Suite 1010, Toronto, Ontario M2M 4J1, authorizing operations as a contract carrier by motor vehicle in intrastate commerce over irregular routes in the transportation of

Passengers-between Mobile and Baldwin Counties, Alabama.

**RESTRICTION:**

Restricted to the transportation of passengers who are exclusively employed by CN Railway and its subsidiaries.

IT IS FURTHER ORDERED BY THE COMMISSION, That the operations herein authorized shall terminate with the termination of the contract between Hallcon Crew Transport, Inc. and CN which is on file with this Commission and made a part hereof as if fully set out herein, or any extensions or renewals thereof.

IT IS FURTHER ORDERED BY THE COMMISSION, That the operations herein authorized may be commenced only after the Applicant has filed with this Commission evidence of liability insurance and its schedule of rates as required by the rules and regulations of this Commission and has obtained registration numbers and properly identified its vehicles as required by the rules and regulations of this Commission. Unless the Applicant complies with these requirements within ninety (90) days after the date of this order or within such additional time as may be authorized by the Commission the grant of authority made in this order shall be considered as null and void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

IT IS FURTHER ORDERED BY THE COMMISSION, That the operations herein authorized shall be subject to all the rights, privileges and immunities as well as all the restrictions, liabilities and responsibilities that are now or may hereafter be imposed by law or the rules and regulations of this Commission upon contract carriers by motor vehicle.

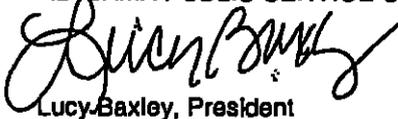
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DOCKET 31920- #3

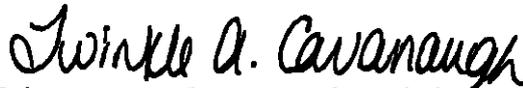
IT IS FURTHER ORDERED, That this Order shall be effective as of the date hereof

DONE at Montgomery, Alabama this 6<sup>th</sup> day of November, 2012.

ALABAMA PUBLIC SERVICE COMMISSION



Lucy Baxley, President

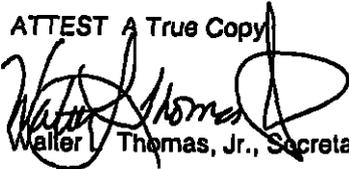


Twinkle Andress Cavanaugh, Commissioner



Terry L. Durn, Commissioner

ATTEST A True Copy



Walter L. Thomas, Jr., Secretary

(1)

SERVED BY MAILING  
THIS 2-1-2013

*Peggy Peters*

TRANSPORTATION CABINET  
DEPARTMENT OF VEHICLE REGULATION  
FRANKFORT, KENTUCKY

In the Matter of the Application of:

HALLCON CREW TRANSPORT, INC.  
5775 YONGE STREET, SUITE 1010  
TORONTO, ON M2M4J1  
CANADA

DOCKET NO. 12-083

REPORT AND RECOMMENDED ORDER GRANTING AUTHORITY

On August 15, 2012, applicant, Hallcon Crew Transport, Inc., 5775 Yonge Street, Suite 1010, Toronto, ON M2M4J1, Canada, filed an application for a permit of public convenience and necessity authorizing the operation of one (1) or more contract carrier vehicles, for the transportation of passengers for hire, not operating over any regular route, the destinations of which motor vehicles are designated by the passengers at the time of such transportation, pursuant to one (1) or more contracts approved by the Department including the subject contract between the applicant and the CN Railway and Transportation Companies, and the origin of operation of which is any county in Kentucky.

No protest having been filed, Hearing Officer Charles E. Wilkinson

(I)

DOCKET NO. 12-083  
PAGE 2

reviewed subject application pursuant to the provisions of KRS 281.801, 601 KAR 1:030 Section (4) (7), and 601 KAR 1:031. Applicant's proof in support of its application consists of affidavits of Karen Poitras, the supervisor of CN Railway and Transportation Companies, William H. James, a member of applicant's board of directors, and three additional affiants.

#### FINDINGS OF FACT

Canadian National Railway Company (CN) and its wholly-owned United States subsidiary are currently under contract with the applicant, Hallcon Crew Transport, Inc., and receive crew transport and management services from Hallcon. CN and its wholly-owned United States subsidiary have done business with Hallcon since 2009 and have renewed and extended its contracts during this time. All employees of CN and its wholly-owned U.S. subsidiary are prospective Hallcon passengers.

CN and its wholly-owned U.S. subsidiary have found the applicant, Hallcon, to be fit and capable of providing crew transportation services. A wholly-owned U.S. subsidiary of CN operates in the state of Kentucky and would benefit from Hallcon holding the authority required for intra-state operations of one or more contract carrier vehicles.

#### CONCLUSIONS OF LAW

The criteria for granting or denying an application such as the instant

DOCKET NO 12-083  
PAGE 3

one are set forth in KRS 281.630(1), which provides in pertinent part as follows.

A certificate or permit of public convenience and necessity shall be issued to any qualified applicant therefor, authorizing the whole or any part of the operation covered by the application, if it is found that the applicant is fit, willing and able properly to perform the service proposed and to conform to the provisions of this chapter and the requirements and the rules and regulations of the department thereunder, and further that the existing transportation service is inadequate, and that the proposed service, to the extent to be authorized by the certificate, is or will be required by the present or future public convenience and necessity, and that the proposed operation, to the extent authorized by the certificate, will be consistent with the public interest and the transportation policy declared in this chapter; ..

It is concluded from the foregoing facts that the applicant herein is fit, willing and able properly to perform the proposed service and to conform to the provisions of KRS Chapter 281 and the lawful requirements and regulations of the Department thereunder. Applicant has the ability to obtain the necessary equipment, qualified personnel, and has exhibited a willingness to abide by the statutory and regulatory requirements.

It is further concluded that the proposed operation will be consistent with the public interest and the transportation policy of the Commonwealth, that the existing transportation service is inadequate, and it appears the proposed service is needed. This application was not protested. This fact, coupled with the

(I)

DOCKET NO. 12-083  
PAGE 4

representations of the supporting public witnesses, indicates that the existing carriers are not capable of meeting the need for the proposed service.

RECOMMENDATION

For all of the reasons set forth above, **IT IS RECOMMENDED** that the application of Hallcon Crew Transport, Inc , 5775 Yonge Street, Suite 1010, Toronto, ON M2M4J1, Canada, for a permit of public convenience and necessity authorizing the operation of **one (1) or more contract carrier vehicles**, for the transportation of passengers for hire, not operating over any regular route, the destinations of which motor vehicles are designated by the passengers at the time of such transportation, pursuant to **one (1) or more contracts approved by the Department including the subject contract between the applicant and the CN Railway and Transportation Companies**, and the origin of operation of which is any county in Kentucky; be **GRANTED**.

This is not a final order and does not convey any authority to operate vehicles.

RIGHT TO FILE EXCEPTIONS AND RESPONSES TO EXCEPTIONS

KRS 13B.110 states, in part, that each party shall have fifteen (15) days from the date the recommended order is mailed within which to file exceptions to the recommendations with the agency head .601 KAR 1.030 Section 10 (5) states that replies to exceptions shall be filed within fifteen (15) days after service

(J)

DOCKET NO. 12-083  
PAGE 5

of the exceptions, if any party desires to make a reply.

Done at Frankfort, Kentucky, this 1<sup>st</sup> day of February, 2013.

Charles E. Wilkinson  
CHARLES E. WILKINSON  
HEARING OFFICER

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing Report and Recommended Order was served this 1 day of Feb, 2013, by first class mail, postage prepaid, to:

CSC-Lawyers Incorporating Service Company: Registered Agent for applicant, Halcon Crew Transport, Inc., 421 West Main Street, Frankfort, KY 40601

Representative of corporate counsel for applicant: Lynne C. Feibelman, Corporate Paralegal, Dorsey & Whitney LLP, 51 West 52<sup>nd</sup> Street, New York, NY 10019-6119

Applicant: Halcon Crew Transport, Inc., 5775 Yonge Street, Suite 1010, Toronto, ON M2M4J1, Canada

Copy retained by:

Hearing Officer: Charles E. Wilkinson, Kentucky Transportation Cabinet, Office of Legal Services, 200 Mero Street, Frankfort, KY 40622

Original to:

Executive Director, Clerk: Kentucky Transportation Cabinet, Office of Legal Services, 200 Mero Street, Frankfort, KY 40622

Peggy Peters  
Office of the Clerk

**CERTIFICATE OF SERVICE**

I certify that I have this 26th day of February, 2013 served a copy of the foregoing

Verified Application for Control of Motor Passenger Carrier by hand delivery on:

Director of Operations  
Antitrust Division  
U.S. Department of Justice  
950 Pennsylvania Ave. N.W. Room 303  
Washington, D.C. 20530

Premerger Notification  
Office  
Bureau of Competition  
Federal Trade Commission  
Washington, D.C. 20580

and by first class mail, postage prepaid on:

Jeff Secrist  
Chief, IT Operations Division  
Federal Motor Carrier Safety Administration  
W68-314 – MCRIO  
1200 New Jersey Ave SE  
Washington DC 20590  
(202) 366-9805

Arkansas State Highway Commission  
10324 Interstate 30  
Little Rock, AR 72209

California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

Colorado Public Utilities Commission  
1560 Broadway, Suite 250  
Denver, CO 80202

Delaware Department of Transportation  
Office of Public Carrier Regulation  
303 Transportation Circle, Rm. 112  
Dover, DE 19901

Indiana Department of Revenue  
Motor Carrier Services  
7811 Millhouse Road, Suite M  
Indianapolis, IN 46241

Iowa Department of Transportation  
800 Lincoln Way  
Ames, IA 50010

Kansas Corporation Commission  
Transportation Division  
1500 SW Arrowhead Road  
Topeka, KS 66604

Louisiana Public Service Commission  
602 North Fifth Street  
Baton Rouge, LA 70812

Maryland Public Service Commission  
William Donald Schaefer Tower  
6 St. Paul Street  
Baltimore, MD 21202

Michigan Department of Transportation  
425 West Ottawa Street  
Lansing, MI 48909

Missouri Department of Transportation  
Motor Carrier Services  
1320 Creek Trail Drive  
Jefferson City, MO 65102

Nebraska Public Service Commission  
1200N Street, Suite 300  
Lincoln, NE 68508

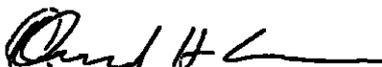
Nevada Transportation Authority  
2290 South Jones Boulevard, Suite 110  
Las Vegas, NV 89146

New Mexico Public Regulation Commission  
Transportation Division  
1120 Pasco de Peralta  
Santa Fe, NM 87504

Oklahoma Corporation Commission  
Transportation Division  
2101 N Lincoln Boulevard  
Oklahoma City, OK 73105

Texas Department of Motor Vehicles  
Motor Carrier Division  
4000 Jackson Avenue  
Austin, TX 78731

Wyoming Department of Transportation  
Regulatory Section  
5300 Bishop Boulevard  
Cheyenne, WY 82009

  
\_\_\_\_\_  
David H Coburn