

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. B-2023.01
Application of Barley Bus, LLC)
d/b/a Barley Bus Tours, Kansas)
City, Missouri, seeking to)
extend its authority as a)
common carrier in Nebraska)
intrastate commerce in the) ORDER GRANTING APPLICATION
transportation of passengers)
by bus in special party)
service between points within)
a 75-mile radius of the city)
limits of Omaha over irregular)
routes. HHS Designation: No.) Entered: March 1, 2022

BY THE COMMISSION:

By application filed December 20, 2021, Barley Bus, LLC, d/b/a Barley Bus Tours ("Applicant"), Kansas City, Missouri, seeks to extend its existing authority. Notice of the application was published in The Daily Record, Omaha, Nebraska, on December 22, 2021. No protests were filed; therefore, the application was processed pursuant to the Commission's Rule of Modified Procedure.

O P I N I O N A N D F I N D I N G S

Applicant is a Missouri limited liability company with its principal place of business in Kansas City, Missouri. Applicant currently provides passenger transportation by bus in charter service between points within a 75-mile radius of the city limits of Omaha over irregular routes. HHS designation is no. The proposed application would add special party service by bus to its existing operating territory. Applicant is not seeking HHS designation for the proposed service area.

After due consideration and being fully advised in the premises, the Commission is of the opinion and finds:

1. Applicant is able properly to conform to applicable provisions of Neb. Rev. Stat. §§ 75-301 to 75-322 (Cum. Supp. 2020), and the requirements, rules, and regulations of the Commission thereunder.
2. Upon compliance with Neb. Rev. Stat. §§ 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Cum. Supp. 2020), and with the rules and regulations of the Commission, a

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Certificate of Convenience and Necessity should be issued as follows:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Common: transportation of passengers by bus in special party and charter service between points within a 75-mile radius of the city limits of Omaha over irregular routes. HHS Designation: No.

3. The Application for authority should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. B-2023.01 be, and it is hereby, granted; and that upon compliance with the terms and conditions set forth in this order, a Certificate of Public Convenience and Necessity shall be issued to Barley Bus, LLC d/b/a Barley Bus Tours, Kansas City, Missouri, in Application No. B-2023.01, authorizing the operations set forth in the foregoing findings.

IT IS FURTHER ORDERED that Applicant shall not be issued the Certificate of Public Convenience and Necessity authorized by the Commission unless and until Applicant has fully complied within 45 days from the effective date of this order, with Neb. Rev. Stat. sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Cum. Supp. 2020), and with the rules and regulations of the Commission; and if upon expiration of such time Applicant has not complied with such terms and conditions, this order shall, after reasonable notice to Applicant, be of no further force and effect.

IT IS FURTHER ORDERED that Applicant shall not conduct the operations until Certificate of Public Convenience and Necessity is issued.

IT IS FURTHER ORDERED that the Certificate of Public Convenience and Necessity authorized shall be subject to the terms, conditions and limitations which have been, or may hereafter be, prescribed by the Commission.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 1st day of March, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Swader
Mary Keddin
Tim Schram

Don Watson

Chair

ATTEST:

Thomas W. Golden
Executive Director