

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Black Hills Stage Lines, Inc., Norfolk, Nebraska, which seeks to acquire, through transfer, a portion of the authority as a common carrier in Nebraska intrastate commerce granted to Busco, Inc., dba Arrow Stage Lines in Certificate B-1299.) APPLICATION B-869
) SUPPLEMENT NO. 16
) GRANTED AND A PORTION
) OF CERTIFICATE B-1299,
) REVOKED
) ENTERED: July 9, 1991

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed April 30, 1991, Black Hills Stage Lines, Inc., Norfolk, Nebraska, seeks to acquire a portion of the operating rights granted to Busco, Inc., dba Arrow Stage Lines in Certificate of Public Convenience and Necessity issued in Application B-1299.

AUTHORITY SOUGHT

Passengers, baggage of passengers and express as a common carrier by motor vehicle over a regular route. Between Norfolk and South Sioux City, via Nebr. No. 35 to Nebr. No. 9, to U.S. No. 20 to South Sioux City; and between Norfolk and South Sioux City via Nebr. No. 35 to Dakota City, thence via U.S. No. 77 to South Sioux City, serving all intermediate points on both routes.

Notice of the application was published in The Daily Record, Omaha, Nebraska on May 4, 1991, pursuant to the rules of the Commission.

Since no protest was filed, Application B-869, Supplement No. 16 was processed pursuant to Rule 018.03 of the rules of the Commission.

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

1. Applicant is fit, willing, and able properly to perform the proposed service.
2. The proposed transfer of operating rights will be consistent with the public interest and will not unduly restrict competition.
3. The certificate issued in Application B-1299, is not dormant.
4. A certificate should be issued in Application B-869, Supplement No. 16 authorizing the following operations:

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Passengers, baggage of passengers and express as a common carrier by motor vehicle over a regular route. Between Norfolk and South Sioux City, via Nebr. No. 35 to Nebr. No. 9, to U.S. No. 20 to South Sioux City; and between Norfolk and South Sioux City via Nebr. No. 35 to Dakota City, thence via U.S. No. 77 to South Sioux City, serving all intermediate points on both routes.

5. A portion of the certificate issued in Application B-1299 should be revoked and cancelled.

O R D E R

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that Application B-869, Supplement No. 16 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 Black Hills Stage Lines, Inc., Norfolk, Nebraska, in Application B-869, Supplement No. 16, authorizing the operations set forth in Paragraph No. 4 of the foregoing findings; and that to avoid a lapse in authority, the portion of Certificate of Public Convenience and Necessity issued in Application as set out above B-1299, shall be revoked and cancelled simultaneously with the issuance of a Certificate of Public Convenience and Necessity in Application B-869.

IT IS FURTHER ORDERED that Applicant shall not be issued the Certificate of Public Convenience and Necessity authorized by the Commission unless and until Applicant has fully complied, within a reasonable time from the effective date of this Order, with Sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates), R.R.S. 1943, as amended, and with the rules and regulations of the Commission; and if upon expiration of such time Applicant has not complied with such terms and conditions, this Order shall, after reasonable notice to Applicant, be of no further force and effect.

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

IT IS FURTHER ORDERED that the operations authorized herein shall be subject to the terms, conditions, and limitations which have been, or may hereafter be prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska this 9th day of July, 1991.

COMMISSIONERS CONCURRING:

//s//Frank E. Landis, Jr.
//s//James F. Munnelly
//s//Eric Rasmussen

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director