

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application	) APPLICATION NO. B-869
of Black Hills Stage Lines,	) SUPPLEMENT 17
Norfolk, seeking to extend an	)
Existing authority to read:	)
"Transportation of passengers and	) GRANTED
their baggage as a common carrier	)
by bus over regular routes	)
between Omaha and the Nebraska-	) ENTERED: FEBRUARY 23, 2005
Colorado state line via Interstate	)
80 servicing all intermediate	)
points.	)

BY THE COMMISSION:

### OPINION AND FINDINGS

By application filed August 10, 2004, Black Hills Stage Lines, Norfolk, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

### AUTHORITY SOUGHT

Transportation of passengers and their baggage as a common carrier by bus over regular routes between Omaha and the Nebraska-Colorado state line via Interstate 80 servicing all intermediate points.

Notice of the application was published in the Daily Record, Omaha, Nebraska, on December 13, 2004, pursuant to the rules of the Commission.

Because no protests were filed, Application B-1599 was processed pursuant to Rule 018.03 of the rules of procedure 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, and to conform to the provisions of Neb. Rev. Stat., sections 75-301 to 75-322.04, (Reissue 1996), and the requirements, rules and regulations of the Commission thereunder.
2. The proposed intrastate service is or will be required by the following extent:

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-869, SUPPLEMENT 17

PAGE TWO

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Transportation of passengers and their baggage as a common carrier by bus over regular routes between Omaha and the Nebraska-Colorado state line via Interstate 80 servicing all intermediate points.

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 B-869, Supplement 17, 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, Norfolk, Nebraska, in Application B-869, Supplement 17, 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 a reasonable time from the effective date of this Order, with Neb. Rev. Stat. sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates) (Reissue 1996), 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.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-869, SUPPLEMENT 17

PAGE THREE

MADE AND ENTERED at Lincoln, Nebraska, this 23<sup>rd</sup> day of February, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Lowell Johnson*

*Anne C. Boyle*

*Red Johnson*

//s// Frank E. Landis

//s// Gerald L. Vap

Chairman

*Gerald L. Vap*

ATTEST:

*John Burstein*

Deputy Director