

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the	)	Application No. B-2085
Application of Night Ryder	)	
Party Bus and Limo, LLC, Omaha,	)	
seeking authority as a common	)	
carrier in Nebraska intrastate	)	
commerce in the transportation	)	
of passengers in Charter	)	
Service by bus and in Limousine	)	ORDER APPROVING AMENDED
Service by luxury and stretch	)	APPLICATION, WITHDRAWING
limousine in and between points	)	PROTEST, AND CANCELING
in Douglas, Sarpy, Lancaster,	)	HEARING
Cass, Saunders, Washington,	)	
Dodge, Burt, Cuming, Colfax,	)	
Butler, Seward, York, Hamilton,	)	
Hall, Otis, Nemaha, Richardson,	)	
Johnson, Pawnee, Gage, Kearney,	)	
Buffalo, and Adams counties	)	
over irregular routes. HHS	)	
Designation: No.	)	Entered: May 24, 2024

BY THE HEARING OFFICER:

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

On September 27, 2023, Night Ryder Party Bus and Limo, LLC ("Applicant"), Omaha, filed an application seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Special Party Service by bus and in Limousine Service by luxury and stretch limousine in and between points in Douglas, Sarpy, Lancaster, Cass, Saunders, Washington, Dodge, Burt, Cuming, Colfax, Butler, Seward, York, Hamilton, Hall, Otis, Nemaha, Richardson, Johnson, Pawnee, Gage, Kearney, Buffalo, and Adams counties over irregular routes. HHS Designation: No. Notice of the Application was published in The Daily Record, Omaha, Nebraska, on October 4, 2023. On October 13, 2023, a timely protest was filed by VIP Limousine, LLC ("VIP Limousine" or "Protestant").

Notice of the application was republished in The Daily Record, Omaha, on November 15, 2023 due to a typographical error in the first publication. The second publication corrected a mistake by stating that Applicant sought to pursue charter service rather than special party service. All other aspects of the application remained unchanged. On December 18, 2023, the protest filed by VIP Limousine was granted.<sup>1</sup>

<sup>1</sup> See Application No. B-2085, *In the Matter of the Application of Night Ryder Party Bus and Limo, LLC, Omaha, seeking authority as a common carrier in Nebraska*

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On May 13, 2024, a planning conference was held with the parties in this matter to discuss a procedural schedule and hearing dates. The parties agreed upon a final date to exchange witness and exhibit lists of Tuesday, May 28, 2024, and that hearing in this matter would be scheduled for Monday, June 3, 2024 at 1:30 p.m. CST in the Commission hearing room. On May 13, 2024, I entered a Hearing Officer Order approving this procedural schedule.<sup>2</sup>

On May 23, 2024, Commission Staff was notified that the Applicant and Protestant in this matter had reached a settlement agreement. Per the agreement, Applicant requests Commission approval, to amend its application seeking a name change to Night Ryder Party Bus, LLC and a change to the sought after authority as follows:

Transportation of passengers in Charter Service by bus between points in Douglas, Sarpy, Lancaster, Cass, Saunders, Washington, Dodge, Burt, Cuming, Colfax, Butler, Seward, York, Hamilton, Hall, Otis, Nemaha, Richardson, Johnson, Pawnee, Gage, Kearney, Buffalo, and Adams counties over irregular routes. HHS Designation: No.

As a result of this amendment, VIP Limousine sought Commission approval to withdraw its protest. Upon confirmation of the settlement agreement between Applicant and Protestant, Commission Staff recommended that the Hearing scheduled in this matter for June 3, 2024 at 1:30 p.m. be canceled.

After due consideration, I find that Applicant's amended application and Protestant's motion to withdraw protest should be

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*intrastate commerce in the transportation of passengers in Charter Service by bus and in Limousine Service by luxury and stretch limousine in and between points in Douglas, Sarpy, Lancaster, Cass, Saunders, Washington, Dodge, Burt, Cuming, Colfax, Butler, Seward, York, Hamilton, Hall, Otis, Nemaha, Richardson, Johnson, Pawnee, Gage, Kearney, Buffalo, and Adams counties over irregular routes. HHS Designation: No., Order Granting Protests. (Entered December 18, 2023).*

<sup>2</sup> See *In the Matter of the Application of Night Ryder Party Bus and Limo, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Charter Service by bus and in Limousine Service by luxury and stretch limousine in and between points in Douglas, Sarpy, Lancaster, Cass, Saunders, Washington, Dodge, Burt, Cuming, Colfax, Butler, Seward, York, Hamilton, Hall, Otis, Nemaha, Richardson, Johnson, Pawnee, Gage, Kearney, Buffalo, and Adams counties over irregular routes. HHS Designation: No., Application No. B-2085, Order Adopting Procedural Schedule. (Entered May, 13, 2024).*

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granted. Further, I find that the hearing in this matter scheduled for June 3, 2024 should be canceled.

## O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that Night Ryder Party Bus, LLC's amended application should be, and is hereby, granted.

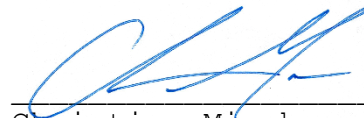
IT IS FURTHER ORDERED that motion to withdraw protest filed by VIP Limousine, LLC should be, and is hereby, granted.

IT IS FINALLY ORDERED that the hearing scheduled in this matter for June 3, 2024 at 1:30 p.m. in the Commission Hearing Room should be, and is hereby, canceled.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 24th day of May, 2024.

NEBRASKA PUBLIC SERVICE COMMISSION

By:



Christian Mirch  
Hearing Officer