

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) APPLICATION NO. BR-304
Prescription of Reasonable Rates)
and Charges for Motor Carriers)
Passengers and Property for Hire) GRANTED ON AN EMERGENCY
subject to the Provisions of) BASIS
Neb. Rev. Stat. (Reissue 1996),)
Chapter 75, Articles 1 and 3.)
ENTERED: JUNE 7, 2005

BY THE COMMISSION:

OPINION AND FINDINGS

On May 25, 2005, R & A Transport, L.L.C., York, Nebraska, filed an application for authority to amend its passenger transportation as follows:

Description	Current	Proposed
A. From point of origin to destination and return	\$0.96/mile	
A. From point of origin to Destination		\$1.25/mile

Emergency action is requested.

The rates proposed are based upon the contract rate as set by the State of Nebraska Department of Health and Human Services rates that will become effective for the Applicant on June 1, 2005. This rate will have risen to \$1.19 per mile loaded. This is a change from the current rate of the Applicant, which is based upon round-trip miles, whether loaded or not. For trips that are loaded both ways, the new rate represents a 30 percent increase, but for trips that are one-way in nature, with either no outbound or return trip scheduled, the rate is around a 33 percent decrease.

The Applicant's only services at this time are transportation services for Epworth Village in York and are in contract with the Nebraska Department of Health and Human Services. The rate requested is somewhat higher than the contract rate with the Department, but this is an effort to leave some room for changes in the contract rate that would not necessitate another application for a change. The Commission finds that this request is reasonable. The Applicant cannot charge the Department a rate greater than that approved by the Commission, but can charge a lesser amount. If the contract rate with the Department exceeds \$1.25 per mile, then the Applicant will need to make another application to reflect this change.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. BR-304

PAGE TWO

In order to grant an application on an emergency basis, the applicant must show and the Commission must find that an emergency situation exists. The applicant represents to the Commission that it will be at a competitive disadvantage with regards to its Health and Human Services clients if the rate is not approved in light of the rate being raised by the Department of Health and Human Services to \$1.19 per mile effective June 1, 2005.

The Commission does find that the rates should be approved on an emergency basis due to the fact that the applicant will be at a disadvantage with regards to the Department of Health and Human Services if the rate increase is not granted.

Upon consideration of the application and being fully advised in the premises, the Commission is of the opinion and finds that the application should be granted on an emergency basis effective June 10, 2005.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that R & A Transport L.L.C., York, Nebraska, be, and it is hereby, authorized to amend its passenger transportation rates as follows:

A. From point of origin to
Destination

\$1.25/mile

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that public notice of this action be published in the Daily Record, Omaha, Nebraska, pursuant to the provisions of Section 75-121, R.R.S. 2003, and the Commission rules.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of June, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING

Lawrence Johnson
Gene C. Boyle
Red Johnson

Chairman

Donald L. Vap

ATTEST:

And S. Pollock
Executive Director

//s// Frank E. Landis
//s// Gerald L. Vap