

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	APPLICATION NO. BR-323
Prescription of Reasonable Rates)	
and Charges for Motor Carriers)	DENIED ON AN EMERGENCY
Passengers and Property for Hire)	BASIS
subject to the Provisions of)	
Neb. Rev. Stat. (Reissue 2003),)	ENTERED: DECEMBER 19, 2006
Chapter 75, Articles 1 and 3.)	

BY THE COMMISSION:

OPINION AND FINDINGS

On December 5, 2006, OMALink, Inc., Lincoln, Nebraska, filed an application for authority to amend its existing rates for its use as follows:

<u>Description</u>	<u>Proposed Rates</u>
Standard Rates:	
One Way Trip	\$39.95
Round Trip	\$69.95

Commuter Rates:

Prepaid 10 One Way Trips	\$159.95
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Notes applicable to Standard/Commuter Rates:

Rates will also apply on trips originating and/or terminating at authorized intermediate locations, the same as if the trip was between Lincoln and Omaha.

Round trip rate applies only when round trip service is requested and paid at time reservation is made.

Pickups and drop-offs in Lincoln will be made other than at regular stop locations for an additional charge of \$15.95.

One companion may accompany a full rate passenger on the same itinerary for one-way/round trip charges of \$24.95/\$34.95.

Rates are subject to a \$5.00 discount for senior citizens (age 65 or older), military members and airline industry employees.

Promotional coupons in \$5 increments may be offered to the general public in the form of newspaper and/or other printed media coupons.

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Notes applicable to Commuter Rates:

Prepaid 10 one-way trips cards will be valid only for trips made within the 30 day period from issuance.

Except for carrier convenience, vehicle will not be dispatched unless at least one passenger traveling pursuant to Standard Rates is on board.

Commuter Rates are not available for trips with pickups and/or drop-offs at airports.

Emergency action is requested.

Applicant is a certificated common carrier which holds Certificate B-1628. The certificate authorizes the transportation of passengers and their baggage over regular routes between Lincoln and Omaha over Interstate Highway I-80 serving facilities immediately adjacent to all intermediate exits as intermediate points. RESTRICTIONS: (1) Service from Lincoln Municipal Airport Terminal to Epply Air Field in Omaha is not authorized; (2) Service from Lincoln under contract with any airline is not authorized; and (3) point to point service wholly within Lincoln is not authorized.

The Applicant has submitted in its application a request to raise its rates eight percent on round trips, fourteen percent on one-way trips, and to establish a commuter trip card of \$159.95 for ten one-way trips between Omaha and Lincoln. It has requested that the application be processed on an emergency basis.

*The Commission must find that an emergency situation must be found by the Commission before a rate application can be approved on an emergency basis. In this matter, no emergency has been presented regarding the rates proposed for the standard rate. The Commission further finds that more information needs to be provided by the Applicant before any action should be taken upon the establishment of a commuter rate.

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 denied on an emergency basis and that said matter be processed in accordance with the Commission's regular procedures and Section 75-119. R.R.S. 2003, as amended.

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ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the matter docketed in Application No. BR-323 be, and it hereby is, denied on an emergency basis and that said matter be processed in accordance with the Commission's regular procedures and Section 75-119, R.R.S. 2003, as amended.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of December, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

James D. Voss
Anne C. Boyle
Robert Johnson

Lowell C. Johnson
Chairman

ATTEST:

And S. Pollack
Executive Director

//s// Lowell C. Johnson