

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) APPLICATION NO. TR-172  
 Of Servant Cab Company LLC, )  
 Lincoln, seeking authority to ) GRANTED AS MODIFIED ON AN  
 Amend its rates and charges. ) EMERGENCY BASIS  
 )  
 ) ENTERED: JUNE 23, 2009

BY THE COMMISSION:

On June 10, 2009, Servant Cab Company LLC (Servant or Applicant), of Lincoln, Nebraska, filed an application for authority to amend its fuel surcharge taxi rates for transportation between points in Lincoln and a 25 mile radius thereof as follows:

Description	Current Rates	Proposed Rates
First 1/11 <sup>th</sup> mile	\$3.40	
First 1/12 <sup>th</sup> mile		\$3.75
Each additional 1/12 <sup>th</sup> mile	\$0.25	
Each additional 1/13 <sup>th</sup> mile		\$0.25
Waiting time (per minute)	\$0.60	\$0.60
Out-of-town rate per mile	\$3.00	\$3.25

Fuel surcharge -

Current		Proposed	
\$1.00-1.50	\$0.15	\$1.00-1.25	\$0.10
\$1.50-2.00	\$0.30	\$1.25-1.50	\$0.20
\$2.00-2.50	\$0.45	\$1.50-1.75	\$0.30
\$2.50-3.00	\$0.65	\$1.75-2.00	\$0.40
\$3.00-3.50	\$0.85	\$2.00-2.25	\$0.50
\$3.50-4.00	\$1.10	\$2.25-2.50	\$0.60
\$4.00-4.50	\$1.35	\$2.50-2.75	\$0.70
\$4.50-5.00	\$1.60	\$2.75-3.00	\$0.80
		\$3.00-3.25	\$0.90
		\$3.25-3.50	\$1.00
		\$3.50-3.75	\$1.10
		\$4.00-4.25	\$1.30
		\$4.25-4.50	\$1.40
		\$4.50-4.75	\$1.50
		\$4.75-5.00	\$1.60

Emergency action is requested.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. TR-172

PAGE 2

Applicant is a certified common carrier which holds Certificate B-1581. The Certificate authorizes the transportation of passengers by taxicab between points in Lincoln and a 25 mile radius thereof.

The Applicant is requesting that the rate structure be adjusted at an average rate of 7.5 percent. In its application, the applicant cited that numerous of its costs have increased greatly in the past few months. The applicant cited primarily that the cost of insurance for vehicles has increased by \$47,000.00 in 2009. The applicant also cited that workers compensation insurance increased \$11,000.00 over 2008. Other costs increases cited by the applicant include \$3,000.00 each in tire expense and taxes,, \$23,000.00 in payroll expense and legal and professional expenses up \$12,000.00 (160 percent). The applicant is also proposing to revise its fuel surcharge to more quickly react to changes in fuel costs.

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

The Commission is aware that costs can increase substantially and quickly. However, the Commission is of the opinion that an increase of the magnitude sought cannot be approved by the Commission without additional information being adduced. The Commission finds that it should not approve the application as submitted without further evidence being placed before it.

The Commission is not unmindful of the impact that these increases have on the applicants operations. In its application, the applicant, through its legal counsel, submitted to the Commission that the additional expenses are costing the applicant approximately thirty-five cents per trip based on an average of 500 trips that applicant makes per day, or \$175 per day in costs that it is not able to recover with the current rate structure.

It is not clear that this amount of increase would substantially impair the operations of the applicant. However, §75-121 (Emergency rates) states the Commission "shall temporarily alter . . . any existing rates in force in order to prevent . . . injury to a common carrier." In this application, the applicant has stated that it is being injured

APPLICATION NO. TR-172

PAGE 3

in the amount of \$175.00 each day that its current rate structure remains in effect. To remedy this situation, it appears that the applicant needs thirty-five cents per trip to offset the stated increases in costs. The Commission finds that the applicant should be granted a temporary thirty-five cent per trip surcharge pending a hearing being set on this application. This surcharge would have a lesser impact on the general public while still allowing the applicant to avoid injuries it is stating that it is experiencing.

Upon consideration of the application, the evidence adduced and being fully advised in the premises, the Commission is of the opinion and finds that the application should be granted as modified on an emergency basis and that a hearing should be scheduled in this matter for July 21, 2009, at 10:00 a.m. in the Commission hearing room.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Servant Cabs is hereby ordered to establish a thirty-five cent (\$0.35) per trip temporary surcharge to its current rate structure and that a hearing will be scheduled in this matter for July 21, 2009, at 10:00 a.m. in the Commission hearing room.

MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of June, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gerald L. Up*

*D. Johnson*

*Aune C. Bayle*

*Tom Schram*

//s// Frank E. Landis

*Frank E. Landis*  
Chairman

ATTEST:

*Mick H. ...*  
Executive Director