

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the  
Prescription of Reasonable  
Rates and Charges for Motor  
Carriers Passengers and  
Property for Hire subject to  
the Provisions of Neb. Rev.  
Stat. (Reissue 2006), Chapter  
75, Articles 1 and 3.

) APPLICATION NO. BR-372  
)  
) GRANTED AS AMENDED ON AN  
) EMERGENCY BASIS  
)

ENTERED: AUGUST 24, 2010

BY THE COMMISSION:

## OPININON AND FINDINGS

On August 23, 2010 Midwest Special Services, Inc.,  
Curtis, Nebraska, filed an application for authority to  
amend its open class rates for its use as follows:

Description	Current	Proposed
II. In-town stops	\$6.50	\$7.00
IV. Holiday or After Hours (8 p.m. to 6 a.m.)		\$20.00

Emergency action is requested.

Applicant is a certificated common carrier which holds  
Certificate B-1351. The certificate authorizes the  
transportation of prisoners between points in Nebraska over  
irregular routes. Supplement 1 authorizes (A) the  
transportation of medical patients in need of supervised  
assistance between points in Nebraska over irregular  
routes; and (B) transportation of passengers and their  
baggage between points in Nebraska over irregular routes  
under continuing contracts with the Nebraska Department of  
Health and Human Services. Supplement 2 authorizes the  
transportation of passengers and their baggage in vans or  
sport utility vehicles rates at fifteen (15) passengers or  
less . . . between points in Nebraska over irregular  
routes. Supplements 1 and 2 to its authority carry  
restrictions.

According to the Applicant, the proposed changes in  
the rates are requested pursuant to its contract with the  
Nebraska Department of Health and Human Services. The  
Department has authorized payment of the holiday or after  
hours charge and the increase in the in town charges.

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The Department has informed the Applicant that the new rates can be effective September 1, 2010. This is the date that a new contract to be signed between the Applicant and the Department becomes effective.

The Commission must find that an emergency situation exists before it can grant an application on an emergency basis. The Commission finds that an emergency situation exists in this situation as the Applicant cannot be compensated for these contractual payments without the Commission's approval of the proposed rates.

The requested rates are in line with those of other providers performing a similar service over a similar area. The changes requested by the Applicant are reasonable under the circumstances. The application is filed in compliance with Sections 75-308 (Rates) and 75-121 (Emergency Rate Orders) R.R.S. 2003 and the Commission rules.

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 September 1, 2010.

## ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective September 1, 2010, Midwest Special Services, Inc., Curtis, Nebraska, be, and it is hereby, authorized to amend its open class rates for its use as follows:

Description	Rates
I. From point of origin of Passenger to point Of delivery in excess of Ten miles, per person	\$1.51/mi.
II. In-town stops	\$7.00
III. One way trips, in town, 0-10 miles per person	\$21.00
IV. Holiday or After Hours (8 p.m. to 6 a.m.)	\$20.00

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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. 2006, and the Commission's rules.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of August, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Deanna Johnson*

Chairman

*Gerald L. Vap*

*Aune Boyle*

ATTEST:

*Vincent Schran*

*Michael J. J.*

Executive Director

//s// Frank E. Landis

//s// Gerald L. Vap