

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,     ) Application No. TNC-2  
on its own motion, seeking to         )  
determine the annual fee for           )  
Transportation Network                 ) ORDER SETTING FEE  
Companies.                               )  
                                          ) Entered: October 8, 2019

BY THE COMMISSION:

On October 14, 2015, the Nebraska Public Service Commission (Commission) entered an Order opening the above-captioned docket to determine the annual fee to be paid by Transportation Network Companies (TNCs) pursuant to NEB. REV. STAT. § 75-305(2) (Supp. 2018).

On August 27, 2019, the Commission entered an order setting this matter for hearing. Notice of the hearing was sent to all interested parties and published in The Daily Record, Omaha, on August 29, 2019. A hearing was held on September 24, 2019, in the Commission Hearing Room. Ms. Shana Knutson appeared on behalf of Commission staff. No other appearances were entered.

E V I D E N C E

Jamie Reyes, Director of the Motor Vehicle Department, testified on behalf of Commission Staff. Ms. Reyes gave a brief overview of the current status of the TNC Regulation Cash Fund, including expenditures over the last year. Ms. Reyes recommended that the per-vehicle fee remain at \$80.00.

Ms. Reyes stated that the current balance of the fund is \$70,508.03. The projected expenditures through the end of the year were approximately \$18,674.79. Ms. Reyes recommended as we move forward that we keep a reserve of \$30,000 in the fund, which is about a six-month operating reserve.

Ms. Reyes testified the fund is used to pay such administrative costs as maintenance of the cash fund, conducting audits, evaluating data, and preparation of the TNC annual report. The Commission receives revenues from two TNCs that operate within the state, Uber and Lyft. TNC Fund allocations pay portions of the salaries of Department employees and Commission administrative staff who assist in reviewing data and fund maintenance.

Upon questioning, Ms. Reyes testified that the Department has not seen a need to make any adjustment to the \$25,000.00 cap. She was not aware of any significant pending legislation in

Application No. TNC-2

Page 2

other states in relation to the regulation of TNCs that might impact the need for legislation in Nebraska.

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

Pursuant to Neb. Rev. Stat. § 75-305 requires TNCs to pay an annual fee of either twenty-five thousand dollars (\$25,000.00) or a per-vehicle fee not to exceed eighty dollars (\$80.00). The Commission must determine the per-vehicle fee to be paid by TNCs each year. Such fee is payable by January 1 and delinquent if not paid by March 1. Fees are directed to the TNC Regulatory Fund, which can be used only for the regulation and enforcement of any statutes that specifically pertain to TNCs.

Based upon testimony provided by staff, the Commission finds that the annual per-vehicle fees for Transportation Network Companies should remain at eighty dollars (\$80) for each personal vehicle operated by a driver of the TNC. The Commission will monitor the fund balance and necessary expenditures and will reevaluate the fee amount annually.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the annual fees for Transportation Network Companies should remain payable at either twenty-five thousand dollars (\$25,000) or eighty dollars (\$80) per personal vehicle operated by a driver of the TNC due and payable on or before January 1, 2020. Such fees shall be delinquent on March 1, 2020.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 8<sup>th</sup> day of October, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Crystal Goodrich*  
*Don Williams*  
*Tim Schram*

*Mary Ridd*

Chair

ATTEST:

*Michael H. S.*

Executive Director