

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Jamie L. Reyes, Director, Motor	)	Docket No. MCC-3196.02
Transportation Department,	)	
Nebraska Public Service	)	
Commission, Lincoln, Nebraska	)	
	)	
COMPLAINANT,	)	
	)	
vs.	)	
	)	
Alpha Life Improvement Services;	)	
Big A Holdings, LLC d/b/a	)	
OMALiNK; Big O's Party Bus, LLC;	)	
Bus at the Yard d/b/a Luxury	)	
Limousine; Careem Transportation,	)	
LLC; Daniel's Moving & Storage of	)	
Omaha, LLC; Denver Coach, Inc.;	)	
First Student d/b/a First	)	ORDER SUSTAINING COMPLAINT
Student, Inc.; Ford Storage &	)	
Moving Co.; Good Times Limousine,	)	
Inc.; Kelly DeSive; King's	)	
Moving; Modest Movers, LLC d/b/a	)	
Middle West Movers; Nebraska	)	
Taxi, LLC; Night Life Limousine,	)	
LLC; Omaha Omaha Handicap	)	
Transportation Services; Rapid	)	
Shuttle Service; Roadrunner Bus,	)	
LLC; Ronald D. Allgood d/b/a Tree	)	
City Cab Company; Siouxland	)	
Paramedics, Inc.; T and T Party	)	
Bus, LLC d/b/a T & T Limousines;	)	
and The Wine Bus, LLC,	)	
	)	
RESPONDENTS.	)	Entered: August 25, 2020

BY THE COMMISSION:

On June 30, 2020, the Nebraska Public Service Commission ("Commission") entered an Order to dismiss in part and sustain in part the above-captioned complaint. In its Order, Commission staff recommended that an administrative penalty be levied against Respondent Good Times Limousine, Inc., Omaha, in the

## SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Docket No. MCC-3196.02

Page 2

amount of three-thousand eight-hundred dollars (\$3,800) and that the Certificate of Public Convenience and Necessity be revoked.<sup>1</sup>

Subsequent to the issuance of the Order, it was determined that the Commission's Opinions and Findings did not address the staff recommendation for Good Times Limousine. Therefore, this Order will issue a finding as it relates to this carrier.

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

The motor carriers subject to this complaint are regulated by the Commission pursuant to Neb. Rev. Stat. §§ 75-101 et. seq. (Supp. 2015), §§ 75-301 et. seq. (Cum. Supp. 2016), and Title 291, NAC Ch. 3 of Commission Rules and Regulations.

Neb. Rev. Stat. § 75-305(1)-(2) requires all regulated motor carriers to pay an annual fee to the Commission in an amount determined by the Commission not to exceed eighty dollars (\$80) on each motor vehicle operated. Annual fees are due and payable to the Commission on or before January 1 and are considered delinquent March 1.<sup>2</sup> The carriers named as Respondents in this complaint failed to timely comply with § 75-305(3). The Commission, therefore, may assess any penalty or grant any relief allowed by law, including ordering carriers to cease and desist operations or revoke the certificates of public convenience and necessity after notice and hearing.

Good Times Limousine was sent a copy of the March 10, 2020 Show Cause Order and notice of the May 5, 2020 show cause

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<sup>1</sup> See Docket MCC-3196.02 *Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska COMPLAINANT vs. Alpha Life Improvement Services; Big A Holdings, LLC d/b/a OMALiNK; Big O's Party Bus, LLC; Bus at the Yard d/b/a Luxury Limousine; Careem Transportation, LLC; Daniel's Moving & Storage of Omaha, LLC; Denver Coach, Inc.; First Student d/b/a First Student, Inc.; Ford Storage & Moving Co.; Good Times Limousine, Inc.; Kelly DeSive; King's Moving; Modest Movers, LLC d/b/a Middle West Movers; Nebraska Taxi, LLC; Night Life Limousine, LLC; Omaha Omaha Handicap Transportation Services; Rapid Shuttle Service; Roadrunner Bus, LLC; Ronald D. Allgood d/b/a Tree City Cab Company; Siouxland Paramedics, Inc.; T and T Party Bus, LLC d/b/a T & T Limousines; and The Wine Bus, LLC, RESPONDENTS*, Order Dismissing in Part and Sustaining in Part at 6, (Entered June 30, 2020).

<sup>2</sup> Neb. Rev. Stat. § 75-305(3) (Supp. 2015).

## SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Docket No. MCC-3196.02

Page 3

hearing by first class priority mail. Commission staff also attempted to contact Good Times Limousine by telephone, without success. To date, Good Times Limousine has not paid its annual renewal fees nor has contacted Commission staff about the complaint. No representative of Good Times Limousine appeared at the hearing to show cause as to why its Certificate of Public Convenience and Necessity should not be revoked and penalties assessed.

Based on the above and the testimony received from Commission staff at the May 5, 2020 show cause hearing, the Commission finds that the Certificate of Public Convenience and Necessity for Good Times Limousine, Inc. should be revoked. The carrier must cease and desist providing service in the state of Nebraska as of the effective date of this Order. All PSC plates assigned to the carrier must be returned to the Commission within ten (10) days of the effective date of this Order. The Commission further finds that a civil penalty in the amount of three-thousand, eight-hundred dollars (\$3,800) should be assessed. Commission Rule of Procedure 007.06B requires any penalty assessed be paid within thirty (30) days from the date the Order is mailed. Failure to pay the penalty may result in further Commission action and no subsequent applications for authority will be allowed until the fine is satisfied. The matter may also be referred to the Attorney General's Office for Collection through the District Court of Lancaster County.

### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the complaint against Good Times Limousine, Inc. in Certificate B-1944 be, and is hereby, sustained and the Certificate of Public Convenience and Necessity be, and is hereby, revoked.

IT IS FURTHER ORDERED that the carrier revoked herein shall cease and desist providing service in the state of Nebraska as of the effective date of this Order. Any vehicle with license plates assigned by the Commission must be returned to the Commission within ten (10) days of the effective date of this Order.

## SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Docket No. MCC-3196.02

Page 4

IT IS FINALLY ORDERED that civil penalties in the amount of \$3,800 be assessed to Good Times Limousine. Failure to pay this penalty within thirty (30) days from the mailing of this Order may result in the matter being referred to the Nebraska Attorney General's Officer for Collection through the District Court of Lancaster County. No subsequent applications for authority will be allowed until the penalty is satisfied and the carrier is returned to good standing.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 25<sup>th</sup> day of August, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



  
Chair

ATTEST:

  
Executive Director