

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, ) Docket No. TNC-2  
on its own motion, seeking to )  
determine the annual fee for ) ORDER SETTING HEARING  
Transportation Network )  
Companies. ) Entered: October 20, 2020

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 per-vehicle fee to be paid by Transportation Network Companies ("TNCs") pursuant to NEB. REV. STAT. § 75-305(2).

On August 25, 2020, 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, Nebraska on September 7, 2020. A hearing was held on September 29, 2020 in the Commission hearing room as well as remote access via WebEx. Mr. Dillon Keiffer-Johnson and Ms. Jamie Reyes appeared on behalf of Commission staff. No other appearances were entered.

## E V I D E N C E

Ms. Jamie Reyes, Transportation Department Director, testified on behalf of Commission staff. Ms. Reyes recommended that the per-vehicle fee remain at \$80.00. Ms. Reyes stated that the Fund had no significant expenditures in the last year, and expenses have been related to general oversight and enforcement. Ms. Reyes testified that the current Fund balance is \$65,633, and that upcoming expenditures would keep the fund balance above the recommended \$30,000 six-month reserve.<sup>1</sup> Revenue to the fund has consisted of annual fees paid by two permitted TNCs.<sup>2</sup> Additionally, Ms. Reyes stated that the department will continue to work with the accounting department to monitor allocations and make any adjustments deemed necessary.<sup>3</sup>

Upon questioning, Ms. Reyes stated that TNC vehicles are not required to be inspected by Commission staff or to be

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<sup>1</sup> Hrg. Trans. at 6:6-7:14 (Sept. 29, 2020).

<sup>2</sup> *Id.* at 7:22-8:14.

<sup>3</sup> *Id.* at 9:1-6.

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licensed by the Commission.<sup>4</sup> Inspection records can be requested for review from the Commission.<sup>5</sup> Ms. Reyes also explained that TNC drivers have opted to display their respective company signage in their vehicles even though there is no statutory requirement to do so.<sup>6</sup>

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

NEB. REV. STAT. § 75-305 requires TNCs permitted to operate in the state of Nebraska to pay an annual fee of either twenty-five thousand dollars (\$25,000) or an amount not to exceed eighty dollars (\$80) for each personal vehicle operated by a driver of the TNC. Such fee is payable to the Commission by January 1 and delinquent if not paid by March 1. Fees are directed to the TNC Regulatory Fund, which can be used for the regulation and enforcement of any statutes that specifically pertain to TNCs.

Based upon the testimony provided by staff, the Commission finds 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. The fee is due and payable on or before January 1, 2021 and considered delinquent if not received by March 1, 2021.

### 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.

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<sup>4</sup> *Id.* at 11:8-19.

<sup>5</sup> *Id.* at 14:14-20.

<sup>6</sup> *Id.* at 11:20-13:1.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 20<sup>th</sup>  
day of October, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:

  
Executive Director