

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Docket No. M-14224  
Public Service Commission, on )  
its own motion, seeking to )  
revoke the Certificate of )  
Public Convenience and ) ORDER REVOKING CERTIFICATE  
Necessity issued to Daniel's )  
Moving and Storage of Omaha, )  
LLC, Phoenix, Arizona, in )  
Docket No. M-14224. ) Entered: June 29, 2021

BY THE COMMISSION:

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

The Nebraska Public Service Commission ("Commission"), on its own motion, is seeking revocation of the Certificate of Public Convenience and Necessity granted to Daniel's Moving & Storage of Omaha, Phoenix, Arizona, in Docket No. M-14224.

The Commission granted Daniel's Moving & Storage authority to transport household goods by straight truck between points in Nebraska over irregular routes. Daniel's Moving & Storage was granted its authority on November 25, 2013.

Neb. Rev. Stat. § 75-305(1) requires all regulated motor carriers to pay an annual fee not exceeding eighty dollars (\$80) for each motor vehicle operated. Annual fees are due and payable to the Commission on or before January 1 and are delinquent March 1.<sup>1</sup>

Daniel's Moving & Storage failed to pay its annual renewal fee as required by § 75-305(1) and was therefore named a Respondent in a Departmental Complaint opened March 2, 2021.<sup>2</sup> Hearing on the

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<sup>1</sup> Neb. Rev. Stat. § 75-305(3)

<sup>2</sup> See Docket No. MCC-3196.03 *Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, COMPLAINANT, VS. 9 Line Medical Solutions, LLC; Alpha Life Improvement Services; Ambassador Transportation, LLC; Big O's Party Bus, LLC; Black Diamond S & S; Bus at the Yard d/b/a Luxury Limousine, Inc.; Limousine Services, LLC; Medics At Home, Inc.; National Arbor Day Foundation; National Health Transport, Inc.; Nebraska Excellent Health Transport; Oma Ambulance Service, Inc.; Omaha Omaha Handicap Trans. Serv.; Premier Limousine, LLC; Ride the Good Life, LLC; Royal Limousine Service; Safe Ride Shuttle; Smiley's; SNP Consulting Services; Travel Plus Limousines; and Unity Transportation Services, Inc., RESPONDENT* (opened March 8, 2021).

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Complaint was held on May 4, 2021. No representative of Daniel's Moving & Storage appeared at the hearing.

A company representative signed for receipt of both the Complaint and the May 4, 2021 show cause hearing notice. No action was taken by any representative to resolve the Complaint or pay the annual fee. Department staff recommended at the hearing that the Certificate of Public Convenience and Necessity held by Daniel's Moving & Storage be revoked and the carrier be assessed a civil penalty of three-thousand, eight-hundred dollars (\$3,800). The Commission entered an Order on June 8, 2021 sustaining the Complaint against Daniel's Moving & Storage and adopting the Department recommendation.<sup>3</sup> To date, there has been no response.

Based on the above, the Commission is of the opinion and finds that the authority granted to Daniel's Moving & Storage of Omaha, Phoenix, Arizona, in Docket No. M-14224 should be revoked for failure to comply with Neb. Rev. Stat. § 75-305(1). All PSC plates assigned to Daniel's Moving & Storage must be returned to the Commission within ten (10) days of the effective date of this Order. Moreover, the civil penalty of three-thousand, eight-hundred dollars was assessed to Daniel's Moving & Storage in the Commission's June 8, 2021 Order. No subsequent applications for authority will be granted until the above-mentioned civil penalty is satisfied.

### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Certificate of Public Convenience and Necessity issued to Daniel's Moving & Storage of Omaha, Phoenix, Arizona, in Docket No. M-14224 be, and is hereby, revoked.

IT IS FURTHER ORDERED that all vehicle plates assigned by the Commission must be returned to the Commission within ten (10) days of the effective date of this Order.

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<sup>3</sup> See Docket MCC-3196.03, Order Dismissing, In Part, and Sustaining, In part, Entered June, 8, 2021.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 29th day of June, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Rod Johnson*  
*Crystal Swader*  
*Mary Keddin*  
*Tim Schram*

*Don Watson*  
Chair

ATTEST:

*Michael S. Hyatt*  
Executive Director