

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the	) Docket No. MR-930
Prescription of Reasonable	)
Rates and Charges for Motor	)
Carriers of Passengers and	) ORDER TERMINATING SURCHARGES
Property for Hire Subject to	) AND CLOSING DOCKET
the provisions of R.R.S. 1943,	)
and in particular Chapter 75,	)
Articles 1 and 3.	) Entered: July 13, 2021

BY THE COMMISSION:

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

On April 18, 1996, Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, Nebraska, filed an application with the Nebraska Public Service Commission ("Commission") for authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-E. The application sought to create a weekly fuel surcharge as a separate line item applicable on line-haul movements.

On April 23, 1996, the Commission entered an Order amending the Official Household Goods Tariff 7-E on an emergency basis to include a ten cent (\$0.10) per mile fuel charge. The Commission also ordered the addition of a separate fuel surcharge line item to the transportation line-haul charge to be reviewed weekly and set in accordance with a predetermined formula. Since that time, Commission staff utilized this formula to calculate weekly fuel surcharges for the Nebraska Official Household Goods Tariff 7-F and Nebraska Official Intracity Household Goods Tariff 22. Weekly surcharge notices were published by Nebraska Truck Services on behalf of the Commission.

On August 11, 2020, legislative bill 461 was signed by the Governor. LB 461 made several changes to the regulation of household goods movers, including reclassifying movers to licensees and eliminating the Commission's authority to fix all necessary rates and charges for movers.<sup>1</sup> The Commission's continued determination of a weekly fuel surcharge would classify as a fixation of a rate or charge of a Licensee transporting household goods, which is no longer authorized. As such, the weekly fuel surcharge established pursuant to the Commission's April 23, 1996 Order should be terminated.

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<sup>1</sup> See Neb. Rev. Stat. § 75-118(1) and (4) (2020).

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Based on the above, the Commission finds that the weekly fuel surcharge established pursuant to the Commission's April 23, 1996 Order should be terminated. Additionally, the above-captioned Docket should be closed.

## O R D E R

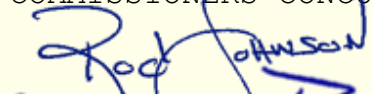


IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the weekly fuel surcharges for the Official Household Goods Tariff 7-F and Official Intracity Household Goods Tariff 22 be, and are hereby, terminated.

IT IS ALSO ORDERED that the above-captioned docket be, and is hereby, closed.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 13th day of July, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:

  
Executive Director