

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. B-1909
Public Service Commission, on)
its own motion, seeking to)
require Bus at the Yard, d/b/a) ORDER TO SHOW CAUSE AND
Luxury Limousine, Lincoln, to) SCHEDULE HEARING
show cause why its Certificate)
of Public Convenience and)
Necessity issued in Docket No.)
B-1909 should not be revoked.) Entered: July 27, 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 to require Bus at the Yard d/b/a Luxury Limousine ("Luxury Limousine"), Lincoln, to show cause as to why its Certificate of Public Convenience and Necessity issued in Docket No. B-1909 should not be revoked.

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 1.¹ Luxury Limousine failed to timely pay its annual renewal fee as required by § 75-305(1) and was therefore named a Respondent in a Departmental Complaint opened on March 2, 2021.² Luxury Limousine completed all annual renewal requirements on March 31, 2021 and accrued a penalty of four-hundred dollars (\$400) under the Commission's fining policy schedule. Luxury Limousine was sent a stipulated agreement to dismiss the company from the Complaint

¹ Neb. Rev. Stat. § 75-305(3) (Cum. Supp. 2020).

² See Docket MCC-3196.03 *Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska COMPLAINANT vs. 9 Line Medical Solutions, LLC; A Helping Hand Moving, 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; Daniel's Moving & Storage of Omaha; FunFamily Party Bus, LLC; Laidback Limousine, Inc.; Limousine Services, LLC; Medics At Home Inc.; Midwest Medical Transport Co., LLC; Murphy Moving, Inc.; National Arbor Day Foundation; National Health Transport, Inc.; Nebraska Excellent Health Transport; Omaha 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, Order to Show Cause and Schedule Hearing (Entered: March 16, 2021).*

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once the fine was paid. Luxury Limousine did not respond or return the stipulation.

Hearing on the Complaint was held on May 4, 2021. No representative of Luxury Limousine appeared at the hearing. On June 8, 2021, the Commission entered an Order assessing a civil penalty of four hundred dollars (\$400) against Luxury Limousine.³ Further, the Commission ordered the penalty be paid within thirty (30) days from the mailing of the Order or the matter could be referred to the Nebraska Attorney General's Office for collection through the District Court of Lancaster County and Luxury Limousine could face further Commission action.⁴ To date, no action has been taken by Luxury Limousine.

After due consideration of the circumstances, the Commission finds that Bus at the Yard d/b/a Luxury Limousine should be ordered to show cause as to why its Certificate of Public Convenience and Necessity should not be revoked for failure to timely remit annual renewal fees in accordance with Neb. Rev. Stat. § 75-305(1) and for failure to comply with the Commission's June 8, 2021 Order. The Commission also finds that hearing on this matter should be held on **Wednesday, August 25, 2021 at 9:00 a.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska. Remote access to the hearing will be available via WebEx at the following link: <https://psc.nebraska.gov/stream>. Individuals may also attend the meeting by telephone: dial 408-418-9388, then enter 146 273 5624 when prompted for the access code.

If auxiliary aids or reasonable accommodations are needed for attendance at the hearing, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Bus at the Yard d/b/a Luxury Limousine, Lincoln, be, and is hereby, ordered to show cause as to why its Certificate of Public Convenience and Necessity should not be revoked.

³ See Docket MCC-3196.03 *Reyes, COMPLAINANT vs. 9 Line Medical Solutions, LLC, et al., RESPONDENTS*, Order Dismissing, In Part, And Sustaining, In Part (Entered: June 8, 2021).

⁴ *Id.* at 9.

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IT IS FURTHER ORDERED that hearing on this matter shall be scheduled for **Wednesday, August 25, 2021** at **9:00 a.m.** as provided herein.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 27th day of July, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Brander
Mary Kadden
Tim Schram

Don Watson

Chair

ATTEST:

Michael S. Hyl

Executive Director