

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of O.U.R. Homes, ) Application No. B-1750.01r  
Lincoln, seeking to establish )  
its rates and charges subject )  
to the Provisions of Neb. Rev. ) ORDER AMENDING RATES ON AN  
Stat. Chapter 75, Articles 1 ) EMERGENCY BASIS  
and 3. )  
)  
) Entered: October 5, 2021

BY THE COMMISSION:

On September 27, 2021, O.U.R. Homes ("Applicant"), Lincoln, filed an application for authority to amend its rates by eliminating all previously granted rates and replacing those rates as follows:

### Description

### Current

Commercial Local Medical:

Local medical transportation within Lincoln city limits for DHHS clients to attend Adult Day care and Adult Day Health services: \$20.00/one way trip

Local transportation within Lincoln city limits for DHHS clients to attend medical appointments: \$30.00/one way trip (ambulatory)  
\$45.00/one way trip (wheelchair van services)

Commercial Local:

Ambulatory one-way trip \$30.00  
Wheelchair van service one-way trip \$45.00

Commercial Distance Medical:

Distance medical transportation outside Lincoln city limits for DHHS clients to attend medical appointments \$1.55/mile

### Description

### Proposed

COMMERCIAL LOCAL ADULT DAY CARE \$20.00/one-way trip  
Local transportation within Lincoln city limits for clients to attend Adult Day Center and Adult Day Health services:

COMMERCIAL LOCAL NON-EMERGENCY MEDICAL \$30.00/one-way trip

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Local transportation within Lincoln city limits for clients to attend non-emergency medical appointments

COMMERCIAL LOCAL \$30.00/one-way trip

Local transportation within Lincoln city limits for business, non-medical trips:

DISTANCE NON-EMERGENCY MEDICAL \$1.55/mile

Non-emergency medical transportation outside of Lincoln city limits to attend medical appointments:

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

Applicant is a Nebraska business with its principal place of business in Lincoln, Nebraska. Applicant is a certified carrier that holds Certificate B-1750. The Certificate authorizes the transportation of clientele of O.U.R. Homes and their baggage by buses and vans in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. The transportation of railroad train crews and their baggage is not authorized, and HHS Designation is yes.

On September 14, 2021, the Commission entered an Order finding that differential and discounted rates not enumerated under Neb. Rev. Stat. § 75-126 must be eliminated from the published rates of certificated carriers.<sup>1</sup> Neb. Rev. Stat. § 75-126 states that a common carrier shall not charge, demand, collect, or receive more or less compensation for any services rendered than what it charges, demands, collects, or receives from anyone for rendering the same services. The statute allows carriers to perform services for free or at a reduced rate for the following groups:

- (a) The United States, the State of Nebraska, or any governmental subdivision;
- (b) The employees, both present and retired, of the common carrier;
- (c) Any person when the object is to provide disaster relief;
- (d) Any person who transports property for charitable purposes;

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<sup>1</sup> See Docket No. MR-1025/PI-238 *In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the use of differential rates and charges by motor carriers providing intrastate passenger transportation services*, Order Issuing Findings and Compliance Deadline (Entered: September 14, 2021).

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- (e) Ministers and others giving their entire time to religious or charitable work;
- (f) Any person who is legally blind or visually handicapped.

Applicant is seeking to amend its existing rates previously granted under Rate Docket BR-356.<sup>2</sup> Applicant currently charges a higher rate to provide wheelchair transportation for the same service than it charges for its ambulatory transportation. Such a rate is not allowed under Neb. Rev. Stat. § 75-126. Applicant seeks to eliminate its current differential rate without proposing any additional changes to its existing rates. A review of Applicant's proposed rates in comparison to rates offered by similar carriers for similar services finds that the proposed rates are reasonable.

Pursuant to the Commission's September 14, 2021 Order, applications filed prior to October 14, 2021 by certificated carriers seeking to amend their published rates to eliminate a differential or discounted rate will be considered on an emergency basis to facilitate a carrier's ability to utilize new rates.<sup>3</sup> Applicant filed its application prior to the deadline and seeks to eliminate a differential rate from its published rates. Therefore, the Commission finds that an emergency basis exists that allows the Commission to grant the application on an emergency basis.

Upon consideration of the application and being fully advised in the premises, the Commission is of the opinion and finds that Applicant's rates should be amended on an emergency basis effective October 5, 2021.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that O.U.R. Homes, Lincoln, Nebraska, be, and is hereby, authorized to amend its rates for its services effective October 5, 2021 as follows:

<u>Description</u>	<u>Rates</u>
COMMERICAL LOCAL ADULT DAY CARE	\$20.00/one-way trip

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<sup>2</sup> See Docket No. BR-356 *In the Matter of the Prescription of Reasonable Rates and Charges for Motor Carriers Passengers and Property for Hire subject to the Provisions of Neb. Rev. Stat. (Reissue 2003), Chapter 75, Articles 1 and 3, Granted on an Emergency Basis (Entered: April 6, 2010).*

<sup>3</sup> See *supra* note 1, at 6.

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Local transportation within Lincoln city limits for clients to attend Adult Day Center and Adult Day Health services:

COMMERCIAL LOCAL NON-EMERGENCY MEDICAL \$30.00/one-way trip  
Local transportation within Lincoln city limits for clients to attend non-emergency medical appointments

COMMERCIAL LOCAL \$30.00/one-way trip  
Local transportation within Lincoln city limits for business, non-medical trips:





DISTANCE NON-EMERGENCY MEDICAL \$1.55/mile  
Non-emergency medical transportation outside of Lincoln city limits to attend medical appointments:

IT IS FURTHER ORDERED that public notice of this action be published in The Daily Record, Omaha, Nebraska, pursuant to the provisions of Section 75-121 and Commission Rules.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 5th day of October, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:

  
Deputy Director