

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Unity) Application No. B-1781.01r
Transportation Services, Inc.,)
Omaha, seeking to establish)
its rates and charges subject) ORDER AMENDING RATES ON
to the Provisions of Neb. Rev.) EMERGENCY BASIS
Stat. Chapter 75, Articles 1)
and 3.)
) Entered: October 19, 2021

BY THE COMMISSION:

On October 12, 2021, Unity Transportation Services, Inc. ("Applicant"), Omaha, filed an application for authority to amend its rates by eliminating all previously granted rates and replacing those rates as follows:

<u>Description</u>	<u>Current</u>	<u>Proposed</u>
Base Charges		
One-way trip (first 5 miles)	\$16.50	No change
Round trip (first 5 miles)	\$33.00	No Change
Additional mileage charge	\$1.50/mile	\$2.50/mile
One-way trip - wheelchair vehicle (first 5 miles)	\$30.00	Eliminate
Round trip - wheelchair vehicle (first 5 miles)	\$60.00	Eliminate
Weekend and Holidays		
One-way trip (first 5 miles)	\$24.75	No Change
Round trip (first 5 miles)	\$49.50	No Change
Additional mileage charge	\$1.50/mile	\$2.50/mile
One-way trip - wheelchair vehicle (first 5 miles)	\$41.00	Eliminate
Round trip - wheelchair vehicle (first 5 miles)	\$82.00	Eliminate
Additional mileage charge	\$2.50/mile	Eliminate
Additional Passenger	N/A	\$16.00
Escort	N/A	\$16.00

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. B-1781.01r

Page 2

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

Applicant is a Nebraska Corporation with its principal business address in Omaha, Nebraska. Applicant is a certified carrier that holds Certificate B-1781 and authorized to transport passengers by van in open class service between points in Douglas, Sarpy, Lancaster, and Cass Counties 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 is yes. Applicant is seeking to amend its existing rates previously granted under Rate Docket BR-565/B-1781.¹

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.² 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;
- (e) Ministers and others giving their entire time to religious or charitable work;
- (f) Any person who is legally blind or visually handicapped.

Applicant currently charges a higher rate for wheelchair transportation services than for its non-wheelchair or ambulatory transportation services. Such a rate is not allowed under Neb. Rev. Stat. § 75-126. In its application, Applicant wishes to eliminate its differential rates and increase its mileage charge

¹ See Docket No. BR-356 *In the Matter of Unity Transportation Services, Inc., Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3., Order Granting Rates on Emergency Basis* (Entered: July 30, 2019).

² 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).

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. B-1781.01r

Page 3

for every mile after the first five miles by \$1.00 for its base charge as well as its weekend and Holiday charges. Applicant also proposes to add an extra passenger charge and an escort fee. 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 quickly utilize the new rates.³ Applicant filed its application prior to the deadline. 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 the application should be granted on an emergency basis effective October 19, 2021.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Unity Transportation Services, Inc., Omaha, Nebraska, be, and is hereby, authorized to amend its rates for its services effective October 19, 2021 as follows:

<u>Description</u>	<u>Rates</u>
Base Charges	
One-way trip (first 5 miles)	\$16.50
Round trip (first 5 miles)	\$33.00
Additional mileage charge	\$2.50/mile
Additional passenger	\$16.00
Escort	\$16.00
Weekend and Holidays	
One-way trip (first 5 miles)	\$24.75
Round trip (first 5 miles)	\$49.50
Additional mileage charge	\$2.50/mile

³ See *supra* note 1, at 6.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. B-1781.01r

Page 4

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 19th day of October, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rob Johnson
Crystal Broadus
Mary Kiddin
Tim Schram

Don Watson
Chair

ATTEST:

Shanice Knutson
Deputy Director