

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of WHC NE, LLC) Application No. B-1969.01r
d/b/a Airport Transportation)
d/b/a My Sedan and zTrip,)
Omaha, seeking to establish) ORDER AMENDING RATES ON
its rates and charges subject) EMERGENCY BASIS
to the Provisions of Neb. Rev.)
Stat. Chapter 75, Articles 1)
and 3.) Entered: October 19, 2021

BY THE COMMISSION:

On October 13, 2021, WHC NE, LLC d/b/a Airport Transportation d/b/a My Sedan and zTrip ("Applicant"), Omaha, filed an application for authority to amend its rates by eliminating all discounted rates for family, friends, military, and senior citizen passengers from its previously granted rates.

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

Applicant is a Nebraska Limited Liability Company with its principal business address in Omaha, Nebraska. Applicant is a certificated carrier that holds Certificate B-1969. The Certificate authorizes transportation of passengers in three service classes- limousine, open class, and taxi- between points in Douglas, Lancaster, and Sarpy Counties, and between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. Applicant's open class and taxicab services hold HHS Designation.

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.¹ 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:

¹ 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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- (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 is seeking to amend its existing rates previously granted under Rate Dockets BR-539/B-1123, LR-355/B-1123, TR-180 and TR-219.² Applicant currently provides discounted rates for family, friends, military personnel, and senior citizens throughout its transportation services. Such a discount program is not allowed under Neb. Rev. Stat. § 75-126. Applicant seeks to eliminate its discounted rates 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 quickly utilize the new rates.³ Applicant filed its application prior to the deadline. Therefore, the Commission finds that an emergency basis exists

² See Docket BR-539/B-1123 *In the Matter of Airport Transportation Company, d/b/a Van Go, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3.*, Granted on an Emergency Basis (Entered: November 7, 2017); Docket LR-355/B-1123 *In the Matter of Airport Transportation Company, d/b/a My Limo, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3.*, Granted on an Emergency Basis (Entered: November 7, 2017); Docket TR-180 *In the Matter of Happy Cab Company, Checker Cab Company, and Yellow Cab Company, Omaha, seeking authority to amend the Omaha taxicab rates.*, Granted (Entered: August 30, 2011); and Docket TR-219 *In the Matter of the Application of WHC NE, LLC d/b/a Airport Transportation d/b/a My Sedan and zTrip; WHC NE, LLC d/b/a Cornhusker Cab Company and zTrip; WHC NE, LLC d/b/a Happy Cab and zTrip; WHC NE, LLC d/b/a Checker Cab Company and zTrip; WHC NE, LLC d/b/a Safeway Cabs and zTrip, Omaha, seeking to establish rate and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3.*, Order Granting Rates on an Emergency Basis (Entered: February 23, 2021).

³ See *supra* note 1, at 6.

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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 WHC NE, LLC d/b/a Airport Transportation d/b/a My Sedan and zTrip, Omaha, Nebraska, be, and is hereby, authorized to amend its rates for its services effective October 19, 2021 as follows:

Part A: Limousine

Category	Description	Rate
Weddings and Anniversaries	First Hour	\$350.00
Weddings and Anniversaries	Second Hour	\$425.00
Weddings and Anniversaries	Each Additional Hour	\$100.00
All other Occasions	Two Hours	\$350.00
All other Occasions	Each Additional Hour	\$100.00
Any trips outside Lincoln	In excess of 100 miles	\$50.00
Add Beverages		\$25.00
Two Hour Minimum		
Deposit	For Cleaning and expendables	\$50.00
Fuel Vehicle surcharges	Apply for fuel over \$4.00/gallon	10% and increases at rate of 10% for each \$0.50 fuel increase above that.

Part B: Open Class

Category	Description	Rate
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Open Class	Any individual, group, business, of Governmental entity that requires automated billing through proprietary modes	\$38.00
Open Class	0 - 5 miles (includes up to 3 passengers)	\$20.00
Open Class	Each additional mile or part thereof	\$2.00
Open Class	Each additional passenger per mile or part thereof	\$0.50

Part C: Taxi

Category	Description	Rate
Standard Fare	First 1/6 mile (initial drop charge)	\$2.95
Standard Fare	Each Additional 1/11 mile	\$0.20
Out-of-Town Fare	Rate per mile	\$2.25
Waiting Time	Per each 86 seconds	\$0.60
Flat Rate	Between Eppley Airfield and Hotels/Motels	Standard Fare above
Eppley Surcharge	Ground Transportation Fee	\$2.75 origination/termination
Cab Hired	By Hour	\$22/hour
No Service Charge		\$7.50
Time and Mileage Charge		Waiting time plus meter fare
Traffic Delay	Waiting Time	\$0.60
Fuel Surcharge	When fuel price exceeds \$4.00/gallon	\$0.60

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Fuel Surcharge	When fuel price exceeds \$4.30/gallon	\$0.75
Fuel Surcharge	When fuel price exceeds \$4.60/gallon	\$0.90
Fuel Surcharge	When fuel price exceeds \$4.90/gallon	\$1.05
Fuel Surcharge	When fuel price exceeds \$5.20/gallon	Surcharge increases \$0.15 for every \$0.30 increase in the cost of fuel.

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:

Rod Johnson
Cystal Brader
Mary Kiddy
Tim Schram

Don Watson
Chair

ATTEST:

Shanice Khutson
Deputy Director