

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of WHC NE, LLC) Application No. B-1971.01r
d/b/a Happy Cab and zTrip,)
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 13, 2021, WHC NE, LLC d/b/a Happy Cab and zTrip ("Applicant"), Omaha, filed an application for authority to amend its rates by eliminating all discounted rates for 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-1971. The Certificate authorizes the transportation of passengers and their baggage by taxicabs between points in Washington, Dodge, Saunders, Douglas, Sarpy, and Cass Counties, and between points in said counties on the one hand, and, on the other hand, points in Nebraska over irregular routes. Applicant is further authorized to provide the transportation of passengers and their baggage by taxi in Lancaster County, and between points 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.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

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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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 is seeking to amend its existing rates previously granted under Rate Dockets TR-180 and TR-219.² Applicant currently provides discounted rates for senior citizens. Such a discount is not allowed under Neb. Rev. Stat. § 75-126. Applicant seeks to eliminate its senior citizen 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 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

² See 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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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 Happy Cab and zTrip, 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>
Initial drop charge (first 1/6 mile)	\$2.95
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
Eppley Ground Transportation Fee	\$2.75 origination/termination
Cab hired by hour	\$22.00/hour
No service charge	\$7.50
Time and Mileage charge	Waiting Time plus meter fare
Traffic Delay waiting time	\$0.60 per 86 seconds
Fuel Surcharge	
When fuel price exceeds:	
\$4.00/gallon	\$0.60
\$4.30/gallon	\$0.75
\$4.60/gallon	\$0.90
\$4.90/gallon	\$1.05
When fuel price exceeds \$5.20/gallon, the surcharge increases \$0.15 for every \$0.30 increase in 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.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 19th day of October, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rock Johnson
Crystal Broadus
Mary Kidden
Tim Schram

Don Watson
Chair

ATTEST:

Sharice Knutson
Deputy Director