

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. B-1976.01r
Application of Beautiful Life)
Family Home Care d/b/a)
Beautiful Life Medical) ORDER AMENDING RATES ON
Transport, LLC, Omaha, seeking) EMERGENCY BASIS
to establish its rates and)
charges subject to the)
Provisions of Neb. Rev. Stat.)
Chapter 75, Articles 1 and 3.) Entered: November 2, 2021

BY THE COMMISSION:

On October 13, 2021, Beautiful Life Family Home Care d/b/a Beautiful Life Medical Transport, LLC ("Applicant"), Omaha, filed an application for authority to amend its rates by eliminating all previously granted rates and replacing those rates as follows:

Description

Current

Ambulatory Van:	
One-way trip	\$35.00 first 5 miles
After first 5 miles	\$2.68/mi. after first 5 miles
Weekends and Holidays	\$40.00 first 5 miles
Weekends and Holidays	\$2.68/mi. after first 5 miles
Cancellation fee	\$30.00/trip
Rural Rate	\$3.75/mi.
No charge for additional passengers	
Wheelchair Van:	
One-way trip	\$55.00 first 5 miles
After first 5 miles	\$2.68/mi. after first 5 miles
Weekends and Holidays	\$65.00 first 5 miles
Weekends and Holidays	\$2.68/mi. after first 5 miles
Cancellation fee	\$50.00/trip
No charge for additional passengers	

Note: passengers refers to caregivers and family members

Description

Proposed

Weekday Rates	
Base Rate	\$45.00 first 5 miles
Each additional mile	\$4.00/mile

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Wait time	\$50/30 minutes
Cancel at the door/no show fee	\$50

Off-hours/Weekends/Holiday Rates

Base Rate	\$60.00 first 5 miles
Each additional mile	\$4.00/mile
Wait time	\$50/30 minutes
Cancel at the door/no show fee	\$50

Note: off-hours 4:00 a.m. - 6:30 a.m. and 5:30 p.m. - 7:00 p.m.

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 was granted authority under Application No. B-1976 to transport passengers in open class service between points in Cass, Dodge, Douglas, Sarpy, and Washington 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 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 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;

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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- (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-587/B-1976.² Applicant currently charges a higher rate for its wheelchair transportation than 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 quickly utilize the new rates.³ 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 the application should be granted on an emergency basis effective November 2, 2021.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Beautiful Life Family Home Care d/b/a Beautiful Life Medical Transport, LLC, 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>
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Weekday Rates	
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² See Docket No. BR-356 *In the Matter of the Application of Beautiful Life Family Home Care d/b/a Beautiful Life Medical Transport, LLC, 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: August 25, 2020).

³ See *supra* note 1, at 6.

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Base Rate	\$45.00 first 5 miles
Each additional mile	\$4.00/mile
Wait time	\$50/30 minutes
Cancel at the door/no show fee	\$50

Off-hours/Weekends/Holiday Rates

Base Rate	\$60.00 first 5 miles
Each additional mile	\$4.00/mile
Wait time	\$50/30 minutes
Cancel at the door/no show fee	\$50

Note: off-hours 4:00 a.m. - 6:30 a.m. and 5:30 p.m. - 7:00 p.m.

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 2nd day of November, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Brander
Mary Kiddy
Tim Schram

Don Watson
Chair

ATTEST:

Shanice Knutson
Deputy Director