

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of City Taxi,                    ) Application No. B-1801.01r  
Inc., Omaha, seeking to                    )  
establish its rates and                    ) ORDER AMENDING RATES ON  
charges subject to the                    ) EMERGENCY BASIS  
Provisions of Neb. Rev. Stat.            )  
Chapter 75, Articles 1 and 3.            ) Entered: November 16, 2021

BY THE COMMISSION:

On October 21, 2021, City Taxi, Inc. ("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 an Iowa Corporation with its principal business address in Omaha, Nebraska. Applicant is a certificated carrier that holds Certificate B-1801, which authorizes the transportation of passengers and their baggage by taxi and wheelchair equipment vans east of 72<sup>nd</sup> Street in Douglas County, and between points within said county east of 72<sup>nd</sup> Street, on the one hand, and, on the other hand, points in Douglas County over irregular routes. Applicant's certificate has the following restrictions: all transportation begins or ends in the area of Douglas County east of 72<sup>nd</sup> Street; Applicant is restricted to no more than fifteen (15) vehicles in fleet; no more than ten (10) taxis in service at any given time; and no more than five (5) taxis may service the taxi feeder line from Eppley Airport at any one time. The restrictions apply for a period of ten (10) years from the date of approval and shall not be modified or amended to expand the authority contained herein. The transportation of railroad train crews and their baggage is not authorized, and HHS designation is no.

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

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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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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 is seeking to amend its existing rates previously granted under Rate Dockets TR-189 and TR-218/B-1801.<sup>2</sup> 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 quickly utilize the new rates.<sup>3</sup> Applicant filed its application after this deadline had passed. However, Applicant requested an extension of time due to extenuating circumstances. Based on Applicant's communications with Commission staff, the Commission finds that the application will be processed according to the September 14, 2021 Order. Therefore, the Commission finds that an emergency basis exists

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<sup>2</sup> See Docket TR-189 *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: February 28, 2012) and Docket TR-219 *In the Matter of the Application of City Taxi, Inc., 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: January 20, 2021).

<sup>3</sup> 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 November 16, 2021.

### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that City Taxi, Inc., Omaha, Nebraska, be, and is hereby, authorized to amend its rates for its services effective November 16, 2021 as follows:

<u>Description</u>	<u>Proposed</u>
Standard Rate	
First 1/6 mile (initial charge)	\$2.95
Each additional 1/11 mile	\$0.20
Out-of-town Rate	
Rate per mile	\$2.25
Waiting Time:	
Per each 86 seconds	\$0.60
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

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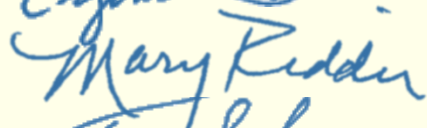

When fuel price exceeds \$5.20/gallon, the surcharge increases \$0.15 for every \$0.30 increase in cost of fuel.

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.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 16th day of November, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:

  
Deputy Director