

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Docket No. MT-0001.02
Public Service Commission, on)
its own motion, seeking to) ORDER OPENING DOCKET AND
address certain carriers in) SCHEDULING SHOW CAUSE HEARING
non-compliance with annual)
renewal requirements) Entered: January 4, 2022

BY THE COMMISSION:

The Nebraska Public Service Commission ("Commission"), on its own motion, opens the above-captioned docket to address those motor carriers not in compliance with the Commission's annual renewal requirements.

Pursuant to Neb. Rev. Stat. § 75-305, every regulated motor carrier and transportation network ("TNC") must pay an annual fee on or before January 1 and shall be delinquent March 1 each year after such permit or certificate has been issued. On November 1, 2021, the Transportation Department ("Department") sent a certified letter, return-receipt requested, to all regulated carriers, and electronic notice to all TNCs that renewal forms, annual fee payments, and proof of current insurance were due to the Commission by January 1, 2022 and would be delinquent on March 1, 2022. The letter also informed the recipients that failure to comply with these deadlines could result in suspension of operating authority until renewal forms, annual renewal fee payments, and proof of current insurance were received. A follow-up letter to those carriers not yet in compliance was sent on or about December 1, 2021.

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

The Commission may, on its own initiative after notice and hearing, suspend a Certificate of Public Convenience and Necessity or Permit of Authority for failure to comply with Neb. Rev. Stat. §§ 75-101 to 75-801.¹ The Department has determined those carriers not in compliance with the January 1st deadline, attached hereto as Appendix A. All carriers named in Appendix A are regulated motor carriers as defined by statute and are subject to Commission rules and regulations.² The Department, therefore, seeks an order suspending the Certificates of Public Convenience and Necessity or Permits of Authority and requiring these carriers to cease and desist offering services as motor carriers pursuant to Neb. Rev.

¹ See Neb. Rev. Stat. § 75-315 (2018).

² See Neb. Rev. Stat. § 75-302(13) (2018).

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Stat. § 75-133 (2018) for failure to remit annual fees in compliance with Neb. Rev. Stat. § 75-305 (2018). The Department would seek reinstatement of such carriers once compliance has been achieved or would seek further action if non-compliance continues beyond March 1, 2022.

Based on the above, the Commission finds that the above-captioned docket should be opened, the carriers named in Appendix A should be ordered to show cause as to why the Commission should not suspend their Certificates of Public Convenience and Necessity or Permits of Authority, and the carriers ordered to cease and desist offering services as motor carriers in Nebraska pursuant to § 75-133 for failure to remit annual fees in accordance with § 75-305.

Finally, the Commission finds that hearing of this matter should be scheduled for **January 25, 2022 at 11:00 a.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska. Seating will be limited for in-person attendance. Remote access to the hearing will be available via WebEx and telephone. Information link: <https://sonvideo.webex.com/meet/PSCWebex> (case sensitive). To attend by phone, dial 408-418-9388, then enter 146 273 5624 when prompted for the access code. Those carriers appearing to testify on behalf of their company should ensure video capability.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of a least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned docket be, and it is hereby, opened.

IT IS FURTHER ORDERED that each carrier listed in Appendix A be ordered to show cause as to why its Certificate of Public Convenience and Necessity or Permit of Authority should not be suspended and said carrier ordered to cease and desist offering services as motor carriers in Nebraska pursuant to § 75-133 for failure to remit annual fees in accordance with § 75-305.

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IT IS FINALLY ORDERED that hearing on this matter is scheduled for **January 25, 2022 at 11:00 a.m.** as prescribed herein.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 4th day of January, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Brader
Mary Kadden
Tim Schram

Don Wooten

Chair

ATTEST:

Thomas W. Golden
Executive Director

Carriers in Non-Compliance with Annual Renewal Requirements

- 9 Line Medical Solutions, LLC
- Action Cab d/b/a Comstock Corp
- Beautiful Life Home Care d/b/a Beautiful Life Medical Transportation
- Big A Holdings d/b/a OMALiNK
- Black Diamond S&S
- Black Hills Stage Lines, Inc.
- Caring Hearts Transportation
- Christopher M. Beerbohm
- CJ's Party Bus
- Dak Family Transportation, LLC
- Dashabout Roadrunner, Inc.
- Davis Entertainment d/b/a Ollie the Trolley
- Dillard Lewis d/b/a Highland Express
- Eastern Nebraska Community Action
- Elite Party Buses, LLC
- Executive Coach, LLC
- First Student, Inc.
- Fremont Cab Service, LLC
- Grand Island Party Bus, LLC
- Hope Park Transport
- Kearney Cab Company
- Lunjini Medical Transportation, LLC
- Medics At Home Inc.
- Midwest Special Services, Inc.
- Mike's Transportation Services, LLC
- My Princess' Limo Service, LLC
- Nebraska Party Bus
- Night Life Limousine, LLC
- Omaha Ambulance Service, Inc.
- Omaha Brew Bus, LLC
- Omaha Omaha Handicap Transportation Service
- Papa G's, LLC
- Party Bus Express Bus, LLC
- Price's Party Patrol, LLC
- Prime Time Shuttle Service
- Prosperity Properties Inc.
- Red Star Transport, LLC
- Rockin n Rollin
- Ronald D. Allgood d/b/a Tree City Cab Company

Appendix A

- Serving Nebraska Health Transportation
- Student Transportation of Nebraska
- Stutheit Transportation Service, Inc.
- TAA, LLC d/b/a Big Premier Limousine
- The Happy Bus, LLC
- Thomas Transportation
- Travel Plus Limousines
- Tri-City Limousine Service
- Unity Transportation Services, Inc.
- WADDI d/b/a Wings of Love
- WHC NE, LLC d/b/a Airport Transportation & zTrip
- WHC NE, LLC d/b/a Checker Cab & zTrip
- WHC NE, LLC d/b/a Cornhusker Cab & zTrip
- WHC NE, LLC d/b/a Happy Cab & zTrip
- WHC NE, LLC d/b/a Safeway Cab & zTrip
- WHC NE, LLC d/b/a Yellow Cab & zTrip
- Xtreme Ride, LLC
- Yellow Cab Beatrice d/b/a Leisure Taxi