

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. B-1956.01r
Application of Lunjini)
Medical Transportation, LLC,)
LaVista, Nebraska, seeking to) DENIED ON AN EMERGENCY BASIS
establish its rates and)
charges subject to the)
Provisions of Neb. Rev. Stat.) Entered: February 23, 2022
Chapter 75, Articles 1 and 3.)

BY THE COMMISSION:

On October 14, 2022, Lunjini Medical Transportation, LLC ("Applicant"), LaVista, Nebraska, filed an application for authority to amend its rates and charges as follows:

<u>Description</u>	<u>Rates</u>
Ambulatory & Wheelchair:	
Base Rate	\$50.00
Mileage Rate	\$5.00/mile
Emergency Rate:	
Base Rate	\$50.00
Mileage Rate	\$5.00/mile
Cancellation Fee	\$50.00

Applicant requests emergency action.

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 place of business in LaVista, Nebraska. Applicant holds Certificate B-1956, which authorizes Applicant to provide passenger transportation by van in open class service between points in Douglas, Sarpy, Dodge, Madison, Lancaster, Gage, Hall, Adams, Red Willow, and Scotts Bluff counties, and between said counties, over irregular routes. 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 common carriers could not charge differential rates- higher rates for one group of customers than another for the same

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transportation.¹ In response to that docket, Applicant filed an application to amend its existing rates previously granted under Rate Docket BR-602/B-1948 that included a higher rate for wheelchair transportation than non-wheelchair or ambulatory transportation.² Applicant proposes a universal rate of \$50.00 and an increase in its per mile charge from \$3.00 to \$5.00 per mile beginning at the first mile. This would be a deviation from its current per mile charge that does not begin until after the first 5 miles. Applicant further seeks to increase its cancellation fee from \$20.00 to \$50.00.

In applications such as these, the Commission must find that an emergency situation exists to grant said application on an emergency basis. Applicant requested emergency action due to calls for on-demand appointments. As an open class carrier, Applicant cannot provide on-demand transportation services. Additionally, Commission staff have been unable to reach Applicant to discuss the need for additional information. After reviewing the application set forth, the Commission is of the opinion and finds that the proposed rates cannot be approved without additional information from the Applicant to validate the rates and the need for emergency action.

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 denied on an emergency basis. The Commission further finds that the Application should be processed pursuant to Commission rules regarding rate applications.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1956.01r be, and is hereby, denied on an emergency basis and shall be processed according to Commission rules and regulations regarding rate applications.

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).

² See Docket No. BR-590/B-1956 *In the Matter of Lunjini Medical Transportation, LLC, LaVista, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3.*, Order Granting Rates (Entered: January 20, 2021).

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IT IS FURTHER ORDERED that public notice of this application 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 23rd day of February, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Swader
Mary Keddin
Tim Schram

Don Watson

Chair

ATTEST:

Thomas W. Golden
Executive Director