

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Docket No. MR-1025/PI-238
Public Service Commission, on)
its own motion, seeking to)
investigate the use of) ORDER ISSUING AMENDED GUIDANCE
differential rates and charges)
by motor carriers providing)
intrastate passenger)
transportation services.) Entered: May 10, 2022

BY THE COMMISSION:

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

On June 29, 2021, the Nebraska Public Service Commission ("Commission"), on its own motion, opened the above-captioned docket to investigate the use of certain differential rates and charges by motor carriers providing for-hire intrastate passenger transportation in the state of Nebraska and scheduled the matter for public hearing. Notice of the hearing was published in The Daily Record, Omaha, Nebraska, on July 16, 2021. Hearing on this matter was held on July 27, 2021, in the Commission Hearing Room and via WebEx.

On September 14, 2021, the Commission entered an order directing common carriers to eliminate certain differential rates and charges, including discounted rates for senior citizens, from their published rates. Under Neb. Rev. Stat. § 75-126, common carriers 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. Common carriers are allowed to perform services for free or at reduced rates for certain groups, which did not include senior citizens.

On April 12, 2022, the Nebraska Legislature passed LB 750. LB 750 amends § 75-126 by adding persons sixty-five years of age or older as a group for which common carriers may perform services for free or at reduced rates. The bill included an emergency clause and became effective the day after the Governor signed the bill on April 18, 2022.

Based on this legislative change, the Commission must reexamine its earlier guidance issued in its September 14, 2021 Order. We therefore find that any common carriers may provide transportation services for free or at a reduced rate to persons

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aged sixty-five years of age and older. Those carriers that wish to implement such a rate must file a rate application to amend its rates and applications will be processed pursuant to Commission rules.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that common carriers may implement a reduced rate for transportation for persons aged sixty-five years and older effective immediately as provided herein.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 10th day of May, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Brander
Mary Kadden
Tim Schram

David Watson
Chair

ATTEST:

Thomas W. Golden
Executive Director