

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Docket No. PI-242
Public Service Commission, on)	
its own motion, to investigate)	
fuel surcharges for motor)	ORDER OPENING DOCKET AND
carriers providing intrastate)	SEEKING COMMENT
passenger transportation)	
services within the State of)	
Nebraska.)	Entered: June 28, 2022

BY THE COMMISSION:

The Nebraska Public Service Commission ("Commission"), on its own motion, opens the above-captioned proceeding to investigate fuel surcharges for motor carriers providing intrastate passenger transportation services within the State of Nebraska. In this investigation, the Commission seeks to explore avenues to address increases in fuel costs experienced by common carriers.

Specifically, the Commission seeks to determine if it is necessary to establish stringent parameters for fuel surcharges. Pursuant to Neb. Rev. Stat. § 75-118 the Commission shall fix all necessary rates, charges, and regulations governing the transportation of passengers by any common carrier in Nebraska intrastate commerce. A fuel surcharge is designed to address a situation where the expense of gasoline rises faster than the ability to recoup those increases can be made. It is expected that, at some point in time, that the costs of gasoline become a regular cost of doing business and not subject to a surcharge.¹ The Commission has previously established implementation standards for carriers to use when applying a fuel surcharge.² Due to the continued rise of gas prices and the expectation that fuel prices will not decrease to the levels they have been over the previous decade, the Commission opens this docket to examine if universal standards should be adopted for fuel surcharges.

¹ See Docket TR-169 *In the Matter of the Application of Servant Cab Company LLC, Lincoln, seeking authority to Amend its rates and charges*, Granted on an Emergency Basis (Entered: December 2, 2008).

² See Docket MR-1026 *In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to address the implementation of fuel surcharges by motor carriers providing intrastate passenger transportation services*, Order Establishing Implementation Standard (Entered: March 29, 2022).

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Docket No. PI-242

Page 2

The Commission seeks comment from interested parties on the following questions for all common carriers regardless of current rate structure:

1. For carriers that currently have a fuel surcharge in their published rates, how do you formulate the current fuel surcharges?
 - a. What factors were examined to determine the levels of the surcharge?
 - b. What factors would be examined when proposing alterations to a surcharge?
 - c. What is the price per gallon that triggers your current fuel surcharge?
2. The Commission is considering the benefits of establishing a universal fuel surcharge pricing structure--defined as a uniform pricing structure which details the rate of recovery for increased fuel prices that would apply to every common carrier.
 - a. Should the Commission establish a uniform fuel surcharge pricing?
 - b. If no, please explain why not.
3. Currently, carriers whose fuel surcharges are dependent upon the price of fuel have a price that triggers the implementation of their surcharge.
 - a. Should the Commission establish a universal trigger?
 - b. If so, at what amount and why?
4. If the Commission develops a uniform fuel surcharge, what form is the most appropriate for a fuel surcharge: a per trip basis, a per mile basis, or based on some other basis?
5. Is there a need to have different fuel surcharges for intra-city trips and intra-state trips?
6. Should a universal fuel surcharge pricing structure differ based on service classification?
7. How should the Commission determine the structure or increase in a fuel surcharge as the price of fuel increases?

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Docket No. PI-242

Page 3

Interested parties should file comments regarding the issues listed herein on or before **3:00 p.m. Friday, July 29, 2022**. Parties should file one (1) original paper copy and one (1) electronic copy to psc.motorfilings@nebraska.gov.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned investigation is hereby opened.

IT IS FURTHER ORDERED that interested parties should file comments on the above-mentioned issues on or before **3:00 p.m. on Friday, July 29, 2022.**, in the manner prescribed herein.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 28th day of June, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Cystal Broadus
Mary Kidden
Tim Schram

Don W. H. [Signature]
Chair

ATTEST:

Thomas W. Golden
Executive Director