

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Yellow Cab)	APPLICATION NO. B-1434,
and Limo, Beatrice, seeking)	SUPPLEMENT 5
Commission approval to)	
institute use of alternative)	APPROVED IN PART AND
vehicle to augment its)	DENIED IN PART
taxicab fleet.)	
)	ENTERED: APRIL 10, 2007

BY THE COMMISSION:

By application filed March 26, 2007, Yellow Cab and Limo, Inc., Beatrice, hereinafter referred to as applicant, seeks approval to utilize minivans and vans for use as a taxicab in applicant's passenger transportation service in taxicab operations. Applicant seeks the use of said equipment to augment its fleet and to provide larger vehicles to provide more room for its passengers and their baggage.

The applicant has filed for the use of seven vans in its fleet, four minivans and three ten or more passenger vans. The Commission has approved the usage of minivans in operations where sufficient showing has been made for their use. In this matter, the Commission finds that the requisite showing has been made for the use of the four minivans: a 1999 Dodge Caravan, and 1997 Plymouth Voyager, and a 2001 and a 2003 Dodge Town and Country. Vans of this type and size have been approved by the Commission in other authorities and should also be approved in this application.

However, three vans that the applicant requested waiving the rule for are vehicles that carry 10 (1998 Ford Club Wagon) 12 (1994 Dodge Ram) and 14 (1995 Dodge Ram) passengers. These vehicles carry a number of passengers that is in excess of the number of passengers allowed by Rule 011.01A, which dictate that "No more than seven persons, including the driver, will be in any vehicle" operated as a taxicab. The Commission is of the opinion and finds that the waiver requested should be denied for these vehicles. These vehicles have a capacity far in excess of the allowance for taxicabs. These vehicles too large to be considered for use in taxicab operations.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. B-1434, SUPPLEMENT 5

PAGE 2

The Commission therefore finds that Rule 0.11.01D should be waived as to the minivans set forth above, and that the applicant should be permitted to add these minivans to its fleet. The Commission further finds that the waiver of the rule for the use of the larger vans with a capacity of 10 passengers or more should be denied and these vans excluded from the applicants fleet and operations.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the application for approval of the use of minivans to augment the applicant's taxicab fleet is hereby granted as to the minivans set forth above.

IT IS FURTHER ORDERED that Rule 011.01D, Chapter 3, Title 29 is hereby waived with respect to Yellow Cab and Limo, Inc.'s application for approval to institute the use of minivans to complement its passenger transportation service.

IT IS FURTHER ORDERED by the Commission that the application of Yellow Cab and Limo, Inc., for approval to institute the use of 10 passenger or more vans to complement its passenger transportation service is denied.

MADE AND ENTERED at Lincoln, Nebraska, this 10th day of April, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Guad & Coy
Dane C. Boyle
Frank E. Landis

Frank E. Landis
Chairman

ATTEST:

AS P. R. R.
Executive Director

//s//Frank E. Landis