

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. B-1483
of Raymond L. Eichman, York,)	
seeking authority as a contract)	
carrier in Nebraska intrastate)	GRANTED
commerce for FHC Options, Inc., in)	
the transportation of passengers)	ENTERED: FEBRUARY 9, 1999
between points within a 100-mile)	
radius of York over irregular)	
routes. RESTRICTION: Restricted to)	
transportation originating in)	
York County.)	

BY THE COMMISSION:

By application filed August 21, 1998, Raymond L. Eichman of York, Nebraska, seeks authority as a contract carrier in Nebraska interstate commerce for FHC Options, Inc. in the transportation of passengers between points within a 100-mile radius of York, Nebraska over irregular routes.

A protest was timely filed by Prince of the Road on September 3, 1998. On September 10, 1998, a restrictive amendment was filed by the Applicant. A hearing was held on December 14, 1998 in the Commission Hearing Room, 300 The Atrium, in Lincoln, Nebraska. Appearing for the Applicant was John R. Brogan, Attorney, P.O. Box 567, York, Nebraska. Appearing for the Protestant was John Boehm, Attorney, 811 S. 13 Street, Lincoln, Nebraska.

FINDINGS AND OPINIONS

Raymond Eichman has been transporting children to and from their home to Epworth Village, a school located in York, for children who are emotionally disturbed. FHC Options has a contract with the state of Nebraska to provide transportation for these children and Mr. Eichman worked for FHC Options. He has been transporting these children since February 1997.

The testimony indicated that Mr. Eichman has had an exemplary record transporting the children. He has been operating a motor vehicle for 49 years without accident. In addition, he has over the years developed strong bonds with the children he has transported. Although Mr. Eichman does use oxygen to help him breathe, his physician, Dr. Patrick Hotovy, indicated that Mr. Eichman's use of supplemental oxygen would not impair him.

Based on information presented to the Commission, it was initially believed that Mr. Eichman did not require authority from the Commission. Upon further review, it was determined that such authority would be required and Mr. Eichman promptly filed this application.

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Applicant was supported by the testimony of Thomas McBride, the executive director of Epworth Village. Mr. McBride testified that Mr. Eichman transported children who have been identified as in need of special resources based on emotional, psychiatric, and behavioral problems. He further testified that Mr. Eichman has been exemplary in his handling of the children, showing a genuine caring interest and being in tune to their special needs. Mr. Eichman's empathy and judgment was beneficial to the children.

Protestant, Alvin Schroll d/b/a Prince of the Road, currently has authority from the Commission, under Application B-1441, to provide state-wide transportation of passengers for the Department of Health and Human Services. Mr. Schroll presented evidence regarding the number of drivers employed and the number of vehicles used by Prince of the Road. While no drivers currently reside in York County, there are drivers available in other counties who could provide the transportation on short notice.

Upon the evidence adduced, the Commission finds that because of the special relationships that Mr. Eichman has developed in transporting these children, his exemplary record of driving, and the benefits that the continuity which his continued transportation of these children could bring, the Commission should grant Raymond Eichman authority to transport children to and from the Epworth Village. The Commission further finds that this authority should be limited to the transportation originating in York County.

O R D E R

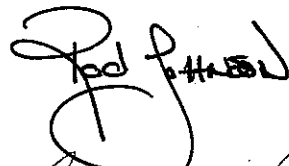
IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application B-1483, should be, and hereby is, granted.

IT IS FURTHER ORDERED that this authority is limited to transportation originating in York County.

MADE AND ENTERED at Lincoln, Nebraska, this 9th day of February, 1999.

COMMISSIONERS CONCURRING:

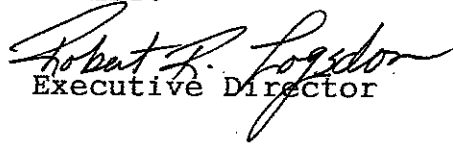
NEBRASKA PUBLIC SERVICE COMMISSION



//s//Lowell C. Johnson
//s//Frank E. Landis
//s//Daniel G. Urwiller

Chairman

ATTEST:


Executive Director