

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Petitioner,) DOCKET NO. B-1526/PI-39
Chauffeurs To Go, requesting the)
Public Service Commission to open) ORDER OPENING DOCKET AND
an investigation into whether the) SETTING A HEARING DATE
scope of the Commission's authority) ON PETITION
extends to a proposed commercial)
enterprise operation wherein the)
petitioner proposes to provide) ENTERED: MAY 16, 2000
chauffeurs to operate the vehicles)
of potential clients.)

BY THE COMMISSION:

On May 10, 2000, this Commission received a Petition for Investigation and Request for Hearing by Chauffeurs To Go, Omaha, Nebraska ("Petitioner") through their attorney, Charles J. Headley. Petitioner requests a determination as to whether the scope of the Commission extends to a proposed enterprise in which the Petitioner would provide, at a fee, drivers to operate the vehicles of potential clients. The Petitioner would not possess or own any vehicles themselves, but would provide only driving services. Petitioner requests a ruling as to whether such proposed operation would meet the statutory definition of "common carrier" as defined in Neb. Rev. Stat. § 75-302(5).

The Commission finds that the Motion for Investigation and Hearing should be granted. The Commission finds that for purposes of public notice and for administrative ease that the best mechanism for this investigation is to open a docket on the motion. The Commission also finds that a hearing should be set on this matter.

This docket is therefore opened to investigate the following areas:

- 1) Whether the proposed service of offering driver service to the public by an enterprise which possesses nor owns any vehicles of its own is subject to Commission jurisdiction;
- 2) Whether such an enterprise constitutes a "common carrier" as defined by law; and,
- 3) Other issues the Commission deems to be relevant to such proceedings.

DOCKET NO. B-1526/PI-39

Page Two

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Motion by Chauffeurs To Go for an Investigation and a Hearing should be, and is hereby, granted.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that an investigation be commenced on the above listed issues regarding the jurisdiction of the Commission over a proposed enterprise which would provide only driver services to the public and all relevant issues as described herein and that this docket shall serve as the administrative vehicle for the entertainment of Petitioner's granted motions.

IT IS FURTHER ORDERED that a hearing should be scheduled as soon as can be agreed upon by the Petitioner and the Commission.

IT IS FURTHER ORDERED that the Commission issue findings as well as any reasonable recommendations at the conclusion of this investigation.

MADE AND ENTERED in Lincoln, Nebraska on this 16th day of May, 2000.

COMMISSIONERS CONCURRING:

Donald H. Houser

Anne C. Boyle

Frank E. Landis

//s//Frank E. Landis

NEBRASKA PUBLIC SERVICE COMMISSION

James J. Smith
Chairman

ATTEST:

Robert R. Logsdon
Executive Director