

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the matter of the Application)	Application No. B-1990
of Meeting & Event Design, Inc.,)	
d/b/a Tuk Tuk Omaha, Omaha,)	
Nebraska, seeking authority as a)	
Common Carrier in Nebraska)	
intrastate commerce in the)	
transportation of passengers by)	ORDER GRANTING
low speed vehicle between points)	RULE WAIVER REQUEST
in Douglas and Sarpy Counties,)	
and points between said)	
counties, over irregular routes.)	
RESTRICTION: Transportation of)	
railroad train crews and their)	
baggage is not authorized. HHS)	
Designation: No.)	Entered: December 11, 2018

BY THE COMMISSION:

On December 4, 2018, a request from Meeting & Event Design, Inc., d/b/a Tuk Tuk Omaha ("Applicant"), Omaha, Nebraska, was filed with the Nebraska Public Service Commission ("Commission") seeking authority to provide transportation of passengers by low speed vehicle without designating a service classification as required under 291 NAC 3, §003.01.

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

Applicant is seeking authority to provide transportation of passengers by low speed vehicle between points in Douglas and Sarpy Counties, and points between said counties, over irregular routes. Title 291 NAC Ch. 3, Rule 003.01 of the Commission's Motor Carrier Rules and Regulations states:

Every Applicant for common or contract transportation, shall designate the type of transportation service requested from the classifications found in this section and shall further designate whether (1) such service as requested shall be provided as a common carrier or as a contract carrier and, if a contract carrier, the persons or entities contracted with; (2) the service if granted shall be provided over (a) a regular route which route shall be described in the application or (b) an irregular route which territory the applicant seeks to provide transportation which shall be described; and (3) any other restrictions shall be applicable. An applicant who desires to transport railroad train crews and their baggage or clients of the Nebraska State Department of Health and

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Human Services or any contractors of the Department shall make specific application for such authority.

Applicant properly designated itself as a common carrier, identified irregular routes and service territory, and noted they will not transport railroad train crews or HHS clientele.

In its December 4, 2018, letter, Applicant stated that it would like request a waiver of the rule requiring that Applicant designate a service classification on its application for authority. Applicant represents a new class of vehicle not previously considered in Commission service classifications, namely low speed vehicles designed to accommodate limited radius areas and special events. The Commission previously opened an investigatory docket, PI-212, to evaluate the service classifications in anticipation of such vehicles entering the market. The order closing the docket acknowledged carriers seeking to utilize such vehicles would be unable to select a service classification from the existing list. The order stated the Applications should clearly designate that the carrier is seeking to utilize low speed vehicles without designating a service classification pending a future rule and regulation docket.¹ Applicant has complied with the recommendations of that order and now seeks a rule waiver.

Upon consideration of the request, the Commission is of the opinion and finds that Meeting & Event Design, Inc., d/b/a Tuk Tuk Omaha's request to proceed with its Application without designating a service classification pursuant to Commission Rule 003.01 is reasonable and should be granted. The Commission will proceed with a rule-making docket in the future to address the service classifications.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the waiver of service classification designation request pursuant to Title 291 NAC Ch. 3, Rule 003.01 sought by Meeting & Event Design, Inc., d/b/a Tuk Tuk Omaha, be, and is hereby, granted.

¹ In the Matter of the Nebraska Public Service Commission, on its own motion seeking to determine the necessity of additional classifications of passenger carriers to accommodate current and future carriers in the market, Docket No. PI-212, Order On Workshop And Closing Docket, Entered December 4, 2018.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 11th
day of December, 2018.

COMMISSIONERS CONCURRING:

Crystal Knodes
Tim Schram

//s//Frank E. Landis
//s//Mary Ridder
//s//Rod Johnson

NEBRASKA PUBLIC SERVICE COMMISSION

Mary Ridder

Chair

ATTEST:

Phil S. H. [Signature]

Executive Director