

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Prescription of)	APPLICATION NO. BR-265
Reasonable Rates and Charges for Motor)	
Carriers, Passengers and Property for Hire)	GRANTED ON AN EMERGENCY
Subject to the provisions of Neb. Rev. Stat.)	BASIS
(Reissue 1996), Chapter 75, Articles 1 and 3.)	
)	ENTERED: SEPTEMBER 5, 2001

BY THE COMMISSION:

OPINION AND FINDINGS

On August 30, 2001, D & L Express, Inc., Atkinson, Nebraska, filed an application for authority to establish bus rates for its use as follows:

<u>Description</u>	<u>Proposed Rate</u>
Rate per mile (See Note)	\$1.00

Note: Subject to a minimum charge of \$100

Emergency action is requested

Applicant is a certificated common carrier which holds Certificate No. B-1559. The certificate authorizes the transportation of passengers in Nebraska intrastate commerce by bus, fifteen (15) passengers or less, to provide charter or special party services between points in Nebraska over irregular routes. The authority is restricted against the transportation of railroad train crews, clients of Nebraska Department of Health and Human Services, and twelve counties in southeast Nebraska, including Douglas and Lancaster counties.

According to the Applicant, the proposed rates are based on expenses and are competitive with other passenger carriers operating similar type equipment. The proposed rates are necessary to cover the cost of insurance, fuel, and vehicle maintenance. The proposed rates are believed to be sufficient to produce a reasonable profit and still maintain a quality service.

Applicant recently received its authority to provide a bus service within the state of Nebraska. It currently does not have bus rates on file. The proposed rates are competitive with other carriers providing a similar service with like equipment. The application is filed in compliance with Sections 75-308 (Rates) and 75-121 (Emergency rate orders), R.R.S. 1996 and the Commission rules.

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Upon consideration of the application and being fully advised in the premises, the Commission is of the opinion and finds that the application should be granted on an emergency basis effective September 7, 2001.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective September 7, 2001, D & L Express, Inc., Atkinson, Nebraska, be, and it is hereby, authorized to establish bus rates for its use as follows:

<u>Description</u>	<u>Rate</u>
Rate per mile (See Note)	\$1.00

Note: Subject to a minimum charge of \$100

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that public notice of this action be published in The Daily Record, Omaha, Nebraska pursuant to the provisions of Section 75-121, R.R.S. 1996, and the Commission's rules.

MADE AND ENTERED in Lincoln, Nebraska, this 5th day of September, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Lowell Johnson
Harold L. Up
Ann C. Bayle

Frank E. Landis

//s//Frank E. Landis

Adam J. Sander
 Chairman

ATTESTS:

J. S. Pollack
 Executive Director