

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	APPLICATION NO. BR-302
Prescription of Reasonable Rates)	
and Charges for Motor Carriers)	AMENDED ORDER GRANTING AS
Passengers and Property for Hire)	AMENDED ON AN EMERGENCY
subject to the Provisions of)	BASIS
Neb. Rev. Stat. (Reissue 1996),)	
Chapter 75, Articles 1 and 3.)	ENTERED: APRIL 5, 2005

BY THE COMMISSION:

OPININON AND FINDINGS

On March 31, 2005, Midwest Special Services, Inc., Curtis, Nebraska, filed an amendment to its application for authority to amend its open class rates for its use as follows:

Description	Current	Proposed
III. One way trips two to ten miles per person	\$12.50	\$15.00

Emergency action is requested.

Applicant is a certificated common carrier which holds Certificate B-1351. The certificate authorizes the transportation of prisoners between points in Nebraska over irregular routes. Supplement 1 authorizes (A) the transportation of medical patients in need of supervised assistance between points in Nebraska over irregular routes; and (B) transportation of passengers and their baggage between points in Nebraska over irregular routes under continuing contracts with the Nebraska Department of Health and Human Services. Supplement 2 authorizes the transportation of passengers and their baggage in vans or sport utility vehicles rates at fifteen (15) passengers or less . . . between points in Nebraska over irregular routes. Supplements 1 and 2 to its authority carry restrictions.

This matter was first heard on an emergency basis the applicant applied to have its rates changes from \$12.50 for trips two to ten miles to \$20.00 for trips of two to fifteen miles. The Commission granted on an emergency basis a rate of \$15.00 for the two to fifteen mile trip. As granted, the rate represents an increase for trips of two to ten miles on a per mile basis, but results in a decrease for trips of eleven miles or more.

The granting of the amended application would still result in a twenty percent increase over its published rate of \$12.50 for trips of two to ten miles. It would also eliminate the unintended consequence of a rate cut for the longer trips.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. BR-302

PAGE TWO

The rates are competitive with the rates on file for other carriers providing a similar service. The application is filed in compliance with Sections 75-308 (Rates) and 75-121 (Emergency Rate Orders) R.R.S. 2003 and the Commission rules.

For the reasons set forth in its Order of March 29, 2005, and to adjust for the unintended inequity that resulted from the initial rate application as applied for, the Commission believes that the amended application should be approved.

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 effective April 7, 2005.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective April 7, 2005, Midwest Special Services, Inc., Curtis, Nebraska, be, and it is hereby, authorized to establish open class rates for its use as follows:

Description	Rates
III. One way trips two to ten miles per person	\$15.00

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. 2004, and the Commission's rules.

MADE AND ENTERED at Lincoln, Nebraska, this 5th day of April, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Lawrence Johnson

Chairman

Gerald L. Vap

Ann C. Boyle

ATTEST:

Executive Director

Adrian Pollock

Robert Johnson

//s// Gerald L. Vap