

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) APPLICATION NO. BR-310
Prescription of Reasonable Rates)
and Charges for Motor Carriers)
Passengers and Property for Hire) GRANTED ON AN EMERGENCY
subject to the Provisions of) BASIS
Neb. Rev. Stat. (Reissue 2003),)
Chapter 75, Articles 1 and 3.)

ENTERED: JULY 11, 2006

OPINION AND FINDINGS

On January 27, 2006, Charles A. Ward, d/b/a Panda Transportation, Valentine, Nebraska, filed an application for authority to amend its van rates for its use as follows:

<u>Description</u>	<u>Proposed Rate</u>
A. Trips exceeding 20 miles of Valentine	\$1.45/mile

All other rates and notations authorized by this Commission remain the same.

Emergency action is requested.

Applicant is certificated common carrier which holds Certificate B-1580. The Certificate authorizes the transportation of passengers, including the transportation of Health and Human Services clients and prisoners in open class service by van between points in Sheridan, Cherry, Keya Paha, Brown, and Rock counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: Service for trips originating in Adams and Hall counties are not authorized.

According to the Applicant, the proposed rate based on projected income and expenses. The proposed rate is necessary to cover operating costs such as insurance, fuel, and vehicle maintenance. The proposed rate is believed to be sufficient to produce a reasonable profit and still maintain a quality service.

In order to grant an application on an emergency basis, the applicant must show and the Commission must find that an emergency situation exists. The applicant represents to the Commission that gasoline expenses have grown considerably over the past year. Gasoline prices are nearing all-time highs as of the date of the entry of this order, with prices nearing \$3.00. This increase in costs will have a negative effect on the ability of the applicant to continue its operations if it is not addressed.

The applicant last had an increase in rates in February of 2004. The requested rate increase represents a sixteen percent increase. In light of the increases in gasoline expenses that the industry as a

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. BR-310

PAGE 2

whole has incurred, the Commission does find that the proposed rate increase is reasonable and should be approved on an emergency basis.

The proposed rates are competitive with other carriers providing a similar service with like equipment. The application is filed in compliance with Section 75-308 (Rates), R.R.S. (2003) and the Commission rules.

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 July 14, 2006.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective July 14, 2006, Charles A. Ward, d/b/a Panda Transportation, Valentine, Nebraska, be, and it is hereby, authorized to amend its van rates as follows:



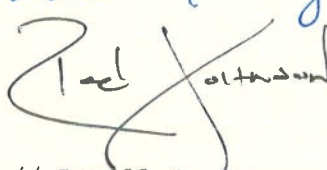
<u>Description</u>	<u>Rates</u>
A. Trips exceeding 20 miles of Valentine	\$1.45/mile

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. 2003, and the Commission rules.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of July, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chairman

ATTEST:


Executive Director

//s// Lowell C. Johnson
//s// Frank E. Landis