

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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|----------------------------------|---|------------------------|
| In the Matter of the |) | APPLICATION NO. BR-314 |
| Prescription of Reasonable Rates |) | |
| and Charges for Motor Carriers |) | DENIED ON AN EMERGENCY |
| Passengers and Property for Hire |) | BASIS |
| subject to the Provisions of |) | |
| Neb. Rev. Stat. (Reissue 2003), |) | ENTERED: MAY 10, 2006 |
| Chapter 75, Articles 1 and 3. |) | |

BY THE COMMISSION:

OPINION AND FINDINGS

On April 25, 2006, MAVM Ventures, Inc., d/b/a A & B Shuttle, Omaha, Nebraska, filed an application for authority to amend its open class rates for its use as follows:

| Description | Proposed Rates |
|--|----------------|
| FUEL SURCHARGE: \$1.00 per trip when the price of gasoline is above \$1.95 per gallon. \$2.00 per trip when the price of gasoline is above \$2.55 per gallon. \$3.00 per trip when the price of gasoline is above \$2.95 per gallon. | |

Emergency action is requested.

Applicant is a certificated common carrier which holds Certificate B-1558. The certificate authorizes the transportation of passengers and their baggage by chauffer-driven motor home between points in Douglas, Sarpy, and Lancaster counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. Supplement 1 authorizes the transportation of passengers and their baggage by chauffer-driven van between points in Douglas, Sarpy and Lancaster counties over irregular routes.

The Applicant states that the requested increase in the surcharge is primarily based upon the vans that are used by the Applicant use approximately two gallons of gas per trip. Therefore each fifty cent increase in gasoline costs on average an additional \$1.00, which is the amount of the proposed surcharge. The Applicant states to the Commission that most of the proposed surcharge will go directly to the drivers, with a small amount being kept by the Applicant for administrative expenses.

The Commission finds that the Applicant should provide more evidence before any action may be taken on the application. We therefore find that the application should be denied on an emergency basis.

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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 denied on an emergency basis and that said matter be processed in accordance with the Commission's regular procedures and Section 75-119. R.R.S. 2003, as amended.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the matter docketed in Application No. BR-314 be, and it hereby is, denied on an emergency basis and that said matter be processed in accordance with the Commission's regular procedures and Section 75-119, R.R.S. 2003, as amended.

MADE AND ENTERED at Lincoln, Nebraska, this 10th day of May, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



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


Chairman

ATTEST:



Executive Director