

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) APPLICATION NO. BR-329
Prescription of Reasonable Rates)
and Charges for Motor Carriers)
Passengers and Property for Hire) GRANTED AS MODIFIED
subject to the Provisions of)
Neb. Rev. Stat. (Reissue 1996),)
Chapter 75, Articles 1 and 3.)

ENTERED: NOVEMBER 20, 2007

BY THE COMMISSION:

OPINION AND FINDINGS

On October 1, 2007, Transport Plus, Inc., Lincoln, Nebraska, filed an application for authority to amend its transportation rates as follows:

<u>Transportation Rates</u>	<u>Current Rates</u>	<u>Proposed Rate</u>
<u>In Lincoln</u>		
Per one way trip	\$17.50	\$20.00
Per one way		
Wheelchair trip	\$20.00	\$20.00 (no change)
<u>Within Lancaster County</u>		
Per mile plus trip		
Charge	\$ 2.40	\$2.40
<u>Outside Lancaster County</u>		
Per Hour	\$30.00	\$30.00
Per Mile	\$ 2.40	\$ 2.40
<u>Escort/Assistance</u>		
Per Hour	\$30.00	\$30.00

Fuel Surcharge:

Trips within corporate city limits of Lincoln

Price/gallon

Under \$1.30	Zero
\$1.30-\$1.75	\$0.50
\$1.75-\$2.00	\$1.00
Over \$2.00	\$1.50

Price/gallon

Under \$2.00	Zero
\$2.00-\$2.50	\$1.50
\$2.50-\$3.00	\$1.75

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. BR-329

PAGE 2

\$3.00-\$3.50
Over \$3.50

\$2.00
\$2.50

Trips beyond corporate city limits of Lincoln

Price/gallon

Under \$1.30	Zero
\$1.30-\$2.00	\$0.05/mile
Over \$2.00	\$0.10/mile

Price/gallon

Under \$2.00	Zero
\$2.00-\$3.00	\$0.10/mile
Over \$3.00	\$0.20/mile

The application was published on October 19, 2007, in the Daily Record. There were no protests received.

The Applicant is a certificated common carrier which holds Certificate B-1439. The certificate authorizes the transportation of: (a) retired and semi-retired persons 60 years old and older requiring specialized personal assistance, children 16 years and younger requiring specialized personal assistance, and visually impaired persons requiring specialized personal assistance between points in Lancaster County over irregular routes; (b) passengers requiring specialized personal assistance and their baggage from points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes; (c) members of church and youth groups from points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. Supp. 1 Passengers that are ADA eligible between points in Lancaster County and from points originating in Lancaster County to points in Nebraska over irregular routes. RESTRICTIONS: (1) Restricted against taxi service; (2) 24-hour advance scheduling is required for all transportation other than transportation conducted under contract with the Lincoln Star Tran Brokerage Program. Other restrictions apply.

According to the Applicant, the proposed rates are requested due to increased operating expenses, especially fuel. The Applicant related to the Commission through staff that its gasoline bills had increased by as much as \$100 per day without any change in its revenue stream. The Applicant's last increase was granted in 2005.

The only change in the rates proposed is an increase on the non-ambulatory rate from \$17.50 to \$20.00, and an increase in the fuel surcharge that has been in place without amendment since March of 2000.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. BR-329

PAGE 3

The Applicant is requesting that non-ambulatory and ambulatory rates be equal in consideration of the Americans with Disabilities Act. It is requesting a raise in the non-ambulatory rate due to the increases in costs that it has incurred since the last increase in 2005. The issue involving the legality of differential charges in rates is one that has not been definitively determined as of the date of this order and will be addressed in another docket. The Commission finds that the proposed rate is reasonable and should be approved due to the increase in gasoline costs that the Applicant has experienced since 2005.

The Commission has examined the proposed rate change in the surcharge that was approved in 2000. The current surcharge allows a charge of \$1.50 when the price of gasoline is above \$2.00 per gallon. The proposed surcharge has a schedule that tops at \$2.50 surcharge when gasoline costs exceed \$3.50 per gallon. After discussions between the Applicant and staff, the Commission finds that a more reasonable surcharge based closer upon costs should be approved as set forth below.

A similar analysis has been undertaken with the surcharge for trips beyond the city limits of Lincoln. After discussions between the Applicant and staff, the Commission finds that a surcharge of \$0.15 per mile should be approved as this represents a reasonable charge for the Applicant that more closely ties to actual expenses incurred.

After discussions of the situation with Commission staff, the Applicant agrees that the rates set forth below are reasonable and will provide adequate income for its operations. The Applicant was also encouraged to apply for more moderate increases on a more frequent basis in the future.

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 as modified on an effective November 30, 2007.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Transport Plus, Inc., Lincoln, Nebraska, be, and it is hereby, authorized to amend its transportation rates as follows:

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. BR-329

PAGE 4

Description	Rate
I. Transportation Rates:	
A. One-way within Lincoln City limits	
1. First person	\$20.00
2. Each additional passenger	No charge
3. Wheelchair rate	\$20.00
B. Within Lancaster County (Beyond the corporate limits of Lincoln)	
1. Same as in I-A above, plus	
2. Mileage charge	\$ 2.40/mi.
C. Outside Lancaster County	
1. Round trip, plus	\$30.00/hr
2. Mileage charge	\$2.40/mi.
II. Escort/Assistance	\$30.00/hr

Fuel Surcharge:

Price/gallon	
Under \$2.00	Zero
\$2.00-\$2.50	\$1.50
\$2.50-\$3.00	\$1.65
\$3.00-\$3.50	\$1.80
Over \$3.50	\$2.10

Trips beyond corporate city limits of Lincoln

Price/gallon	
Price/gallon	
Under \$2.00	Zero
\$2.00-\$3.00	\$0.10/mile
Over \$3.00	\$0.15/mile

MADE AND ENTERED at Lincoln, Nebraska, this 20th day of November, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Frank E. Landis

Chairman

Rod Johnson

ATTEST:

Mike G. Smith

//s// Rod Johnson

Executive Director

//s// Frank E. Landis