

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	APPLICATION NO. BR-331
Prescription of Reasonable)	
Rates and Charges for Motor)	GRANTED ON AN EMERGENCY
Carriers Passengers and)	BASIS
Property for Hire subject to)	
the Provisions of Neb. Rev.)	ENTERED: DECEMBER 11,
Stat. (Reissue 2003), Chapter)	2007
75, Articles 1 and 3.		

BY THE COMMISSION:

OPININON AND FINDINGS

On November 19, 2007, Nebraska City Tourism and Commerce, Inc., Nebraska City, Nebraska, filed an application for authority to establish rates for its use in its operations as follows:

Transportation Rates
Proposed

Charters:

Specials: Wedding, Anniversary and Birthday Packages:

One Hour Rental	\$275
One and one-half Hour Rental	\$350
Two Hour Rental	\$430

Note 1: On the above specials, the following is included: Driver in a tuxedo, Red Carpet rolled out at pick-up only, "Just Married"/"Happy Anniversary"/"Happy Birthday" signs are placed on the outside of the vehicle, and a disposable camera is included at no extra charge.

Note 2: Time begins when the trolley leaves the Syracuse garage and it ends when the party is dropped off.

Note 3: There is no weekend or holiday charge.

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Note 4: All Trolley rentals do not include a tip or gratuity. We suggest a tip of 15% up to 20% of the rental amount. If the driver does not receive a tip, we can deduct that amount from the Security Deposit, if it is collected.

Note 5: On all Weddings, Anniversary and Birthday packages we do require a Security Deposit of \$100. This deposit can cover for any possible damages.

Note 6: On all trolley runs that go beyond a 25 mile radius of Syracuse, a \$65.00 Flat Empty Mileage Fuel/Insurance Surcharge will be assessed. There is unlimited mileage and stops during the rental time period.

Note 7: The Trolley is a "No Smoking" vehicle. If caught, the customer is warned once and the rental will be terminated immediately upon a second instance of smoking on the trip.

Note 8: This Trolley is considered an Open Air Trolley. There is no alcohol allowed on this Trolley. We do allow other beverages, but no alcohol.

Note 9: At the time of booking, we require one-half of the total amount due with the balance due two weeks prior to the outing. We accept credit/debit cards or personal checks or cash. We accept Visa, Master Card, Discover and American Express for your convenience.

Note 10: If you choose to rent the Trolley longer than two hours for these packages the charge \$175.00 per hour.

TOURS: Defined as Wine Tours, Christmas Light Tours, Historic Tours, State Park Tours, or any other types of Tours that the customer may request.

Two (2) Hours	\$350
Three (3) Hours	\$445
Four (4) Hours	\$525
Five (5) Hours	\$645

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Six (6) Hours

\$725

Each hour over six hours

\$ 95

Daily Rentals (Special Events 8:00 a.m. until 6:00 p.m.
(10 hours)

\$825

Note: The Trolley can be used as the customer wants during this special block time. Each hour over would cost \$75.00 per hour. The time frame can be adjusted to the customer for eight (8) hours. If eight hours are selected deduct \$125.00 This charge includes fuel.

Rentals: Based on passengers boarding the Trolley, used for transporting people around town for Special Events/Tours/etc.

Seniors

\$5.00

Adults

\$7.00

Children 8 to 12

\$3.00

Children under 8

no charge

Standard Rentals: (two hour minimum)

Two (2) Hours

\$350

Three (3) Hours

\$525

Four (4) Hours

\$650

Five (5) Hours

\$750

Six (6) Hours

\$845

If the customer rents the Trolley for four (4) hours or more and we have to wait for the customer, the Wait Time Charge is \$75.00 per hour.

Emergency action is requested.

Applicant is a certificated common carrier which holds Certificate B-1562. The certificate and supplements authorize the transportation of passengers in rubber-tired trolley cars in Otoe County and in charter service, all

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charters to originate and terminate in Nebraska City. SUPP. 1: Passengers in rubber-tired trolley cars in charter service originating and terminating in Nebraska City, whereby visitors, shoppers or residents of Nebraska City and surrounding counties are transported from Nebraska City to a specified location and returned to Nebraska City.

SUPPLEMENT 1: Transportation of passengers and their baggage by trolley in charter and special party originating within a 100 mile radius of Nebraska City, Nebraska.

The Applicant was placed under the temporary operating authority of DW & JW, Inc. on December 4, 2007. Under this arrangement the Applicant is now applying for an amendment to the rates allowed to be charged by the Applicant. The current rates held by the Applicant were last approved in 1990 and included only charges for individuals.

The new rates include rates for charters for special events such as weddings anniversaries and birthday, as well as charges for tours and special events. After discussion with Commission staff, the applicant agreed to withdraw any reference to tips or gratuities as set forth in original Note 4, and to change the location for beginning a trip and the fuel surcharge from Syracuse to Nebraska City. The Commission finds that the proposed rates as amended are reasonable and compensatory.

The Commission may grant an emergency application for rate amendments only if an emergency situation exists. In light of the recent temporary operating authority being granted and that the rates have not been adjusted since 1990, the Commission finds that such a situation does exist.

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 December 14, 2007.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective December 14, 2007, Nebraska City Tourism and Commerce, Nebraska City,

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Nebraska, be, and it is hereby, authorized to amend and establish rates for its use as follows:

<u>Description</u>	<u>Rates</u>
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Charters:

Specials: Weddings, Anniversaries and Birthday Packages:

One Hour Rental	\$275
One and one-half Hour Rental	\$350

Two Hour Rental	\$430
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Note 1: On the above specials, the following is included: Driver in a tuxedo, Red Carpet rolled out at pick-up only, "Just Married"/"Happy Anniversary"/"Happy Birthday" signs are placed on the outside of the vehicle, and a disposable camera is included at no extra charge.

Note 2: Time begins when the trolley leaves the Nebraska City storage and it ends when the party is dropped off.

Note 3: There is no weekend or holiday charge.

Note 4: On all weddings, Anniversary and Birthday packages we do require a Security Deposit of \$100. This deposit can cover for any possible damages.

Note 5: On all trolley runs that go beyond a 25 mile radius of Nebraska City, a \$65.00 Flat Empty Mileage Fuel/Insurance Surcharge will be assessed. There is unlimited mileage and stops during the rental time period.

Note 6: The Trolley is a "No Smoking" vehicle. If caught, the customer is warned once and the rental will be terminated immediately upon a second instance of smoking on the trip.

Note 7: This Trolley is considered an Open Air Trolley. There is no alcohol allowed on this Trolley. We do allow other beverages, but no alcohol.

Note 8: At the time of booking, we require one-half of the total amount due with the balance due two weeks prior to the outing. We accept credit/debit cards or personal

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Note: The Trolley can be used as the customer wants during this special block time. Each hour over would cost \$75.00 per hour. The time frame can be adjusted to the customer for eight (8) hours. If eight hours are selected deduct \$125.00 This charge includes fuel.

Rentals: Based on passengers boarding the Trolley, used for transporting people around town for Special Events/Tours/etc.

Seniors	\$5.00
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Four (4) Hours

\$650

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\$750

Six (6) Hours

\$845

If the customer rents the Trolley for four (4) hours or more and we have to wait for the customer, the Wait Time Charge is \$75.00 per hour.

IT IS FURTHER ORDERED by the Nebraska Public Service that notice of this amendment to their rates be conspicuously displayed within each vehicle.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that the total amount of the fuel surcharge be paid to the individual or individuals paying for the fuel.

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 Commissions Rules.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of December, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Vay Vice Chairman

Aime C. Doyle ATTEST:

Frank E. Landis

Michael G. H. J.
Executive Director

//s// Frank E. Landis