

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the  
Prescription of Reasonable  
Rates and Charges for Motor  
Carriers Passengers and  
Property for Hire subject to  
the Provisions of Neb. Rev.  
Stat. (Reissue 2006), Chapter  
75, Articles 1 and 3.

) APPLICATION NO. BR-336  
)  
) GRANTED AS AMENDED ON AN  
) EMERGENCY BASIS  
)  
)

ENTERED: JUNE 24, 2008

BY THE COMMISSION:

## OPININON AND FINDINGS

On June 11, 2008 Midwest Special Services, Inc.,  
Curtis, Nebraska, filed an application for authority to  
amend its open class rates for its use as follows:

Description	Current	Proposed
I. From point of origin of Passenger to point Of delivery in excess of Ten miles, per person	\$1.33/mi.	\$1.51/mi.
II. In-town stops		\$6.50
III. One way trips two to Ten miles per person	\$16.25	
III. One way trips, in town, 0-10 miles per person		\$21.00

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

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less . . . between points in Nebraska over irregular routes. Supplements 1 and 2 to its authority carry restrictions.

According to the Applicant, the proposed increase in rates are primarily due to increases in the cost of gasoline. The Applicant was last previously granted an increase in May of 2006. At that time, the cost of gasoline had reached just over \$2.90 per gallon. As of the time of this order, the cost of gasoline is at or near \$4.00 per gallon. This is an increase of thirty-eight percent in just over two years.

The Applicant has provided information to the Commission that the increase in the cost of gasoline has increased his monthly gasoline expense by \$10,000 per month. It also impacts other costs of doing business directly through higher maintenance costs as well as indirectly through fuel surcharges charged by other businesses that the Applicant conducts business with.

The Commission is aware of the substantial increase in the cost of gasoline. It is aware that the size of the increase negatively impacts on providers such as the Applicant. The Commission finds that an emergency situation exists due to the size of the increase in gasoline costs that have incurred in a compressed time period.

The requested rates are in line with those of other providers performing a similar service over a similar area. The amount of the increase requested by the Applicant is reasonable under the circumstances. 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.

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 May 5, 2006.

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ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective June 27, 2008, Midwest Special Services, Inc., Curtis, Nebraska, be, and it is hereby, authorized to amend its open class rates for its use as follows:




Description	Rates
I. From point of origin of Passenger to point Of delivery in excess of Ten miles, per person	\$1.51/mi.
II. In-town stops	\$6.50
III. One way trips, in town, 0-10 miles per person	\$21.00

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. 2006, and the Commission's rules.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of June, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:

  
Executive Director

//s// Anne C. Boyle  
//s// Frank E. Landis