

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 2003), Chapter
75, Articles 1 and 3.

) APPLICATION NO. BR-342
)
) GRANTED ON AN EMERGENCY
) BASIS
)
) ENTERED: OCTOBER 7, 2008

BY THE COMMISSION:

OPININON AND FINDINGS

On October 3, 2008, Alton Davis, Lincoln, Nebraska, filed an application for authority to establish rates for its use in its operations as follows:

Description	Proposed Rates
Per Mile, travel time	\$3.20
Hourly Waiting Time (Exclusive use by client)	\$150/hour

Emergency action is requested.

Applicant is a certificated common carrier which holds Permit B-1708. The certificate allows the Transportation of passengers and their baggage by Special Party and Charter bus in the state of Nebraska over irregular routes. The transportation of railroad train crews and their baggage is authorized. RESTRICTION: Restricted to the transportation of railroad train crews and their baggage only. Bus to be used in the service is to be no larger than 36 passenger bus. HHS Designation: No.

The Applicant received authority to operate from the Commission under Certificate No. B-1708 on June 24, 2008. The Applicant is establishing its rates for use in this certificate.

The Applicant represents to the Commission that the proposed rate is based upon anticipated expenses in vehicle maintenance, fuel expenses, insurance premiums, advertising and other overhead charges.

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In applications such as these, the Commission must find that an emergency situation exists. Such a situation exists in this application as the Applicant cannot begin operations under its certificate as granted until the rates are approved.

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 October 10, 2008.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective October 10, 2008, Alton Davis, Lincoln, Nebraska, be, and it is hereby, authorized to establish rates for its use as follows:

Description	Rates
Per Mile, travel time	\$3.20
Hourly Waiting Time (Exclusive use by client)	\$150/hour

IT IS FURTHER ORDERED by the Nebraska Public Service Commission 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 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 Commissions Rules.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of October, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Guadalupe

Chair

Frank E. Landis

ATTEST:

Frank E. Landis

Executive Director

Anne C. Boyle

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