

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the ) APPLICATION NO. BR-344  
Prescription of Reasonable )  
Rates and Charges for Motor ) GRANTED AS AMENDED  
Carriers Passengers and )  
Property for Hire Subject to ) ENTERED: MAY 12, 2009  
the Provisions of Neb. Rev. )  
Stat. (Reissue 2003), Chapter )  
75, Articles 1 and 3. )

BY THE COMMISSION:

### OPINION AND FINDINGS

On December 2, 2008, CUSA ES, LLC, dba Coach America Crew Transport, Dallas, Texas, filed an application for authority to adjust its rates and charges for its use as follows:

Description (See Notes)	Rate
1. Rate per round trip mile	\$0.89
2. Minimum charge per trip	\$30.00
3. Waiting Time	
a. No free time shall be granted	
b. Wait Time will be charged per minute	\$0.35
c. Wait Time will be charged per hour	\$21.00
4. Dedicated van yard service, per hour	\$23.22
5. Cancellation Charge	\$30.00

Notice of the application was published in The Daily Record, Omaha, Nebraska, on December 5, 2008, pursuant to the Commission's rules. The application was timely protested by Outsource Administrators, Inc.

Applicant is a certificated common carrier which holds Certificate B-1683. The certificate authorizes the transportation of passengers and their baggage between Alliance and Ravenna and between Alliance and Ravenna, on the one hand, and, on the other hand, points within a 300 mile radius thereof under continuing contract(s) with the Burlington Northern Santa Fe Railway.

The Applicant and Protestant entered into discussions regarding the nature of the protest filed by the Applicant. After these discussions, the Applicant filed an amendment to its application. Subsequent to that amendment being filed, the protestant filed a withdrawal of its protest if the Commission were to approve the rates as amended.

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According to the Applicant, they have experienced significant increases in gasoline costs and in the maintenance of its fleet. The applicant believes that the proposed rates are necessary to cover these increased costs. The proposed rates are believed to be sufficient to produce a reasonable income to provide for the increase in costs and still maintain a quality service. This is the first increase sought by the Applicant since 1998.

In light of the fact that the application was protested and the protest was withdrawn after discussions between the Applicant and the Protestant, and the length of time since the last increase was granted to the Applicant, the Commission finds that the application should be granted as amended. The Commission does note that the Applicant should make more timely filings for rate changes as smaller but more frequent rate changes are better for the customers of the service as well as financially better for the company.

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 amended.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective May 22, 2009, CUSA ES, LLC, dba Coach America Crew Transport, Dallas, Texas, be, and it is hereby, authorized to amend rates for its use as attached:

MADE AND ENTERED at Lincoln, Nebraska, this 12th day of May, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gerald L. Vogt*

*Juan Sanchez*  
Chairman

*Rebecca*

ATTEST:

*Mike*  
Executive Director

*Ann Bayle*

*Tim Schram*

//s// Frank E. Landis

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Attachment:

Description	Rate
1. Rate per round trip mile	\$0.83
2. Minimum Charge Per Trip	\$30.00
3. Waiting time	
a. Wait time will be charged per minute at the rate of:	\$ .35
b. Wait time will be charged per hour at the rate of:	\$21.00
c. A thirty (30) minute grace period shall be observed before chargeable waiting time begins. It is agreed That this thirty (30) minute grace period only applies to wait time incurred at the origin of a trip. Upon the exhaustion of the grace period at the origin, waiting time charges shall apply. It is further agreed that wait time charges shall be billable for any stops required along the trip route to board or discharge customer employees. All wait time charges shall be billed on a per minute basis after the grace period has been exhausted.	
4. Indicated van yard service per hour.	\$23.22
5. Cancellation charge	\$30.00

The rates above are exclusive of any fuel charge. Fuel Expense will be compensated as follows:

Coach America Crew Transport will calculate fuel expense Rates monthly based on publicly available gasoline price indices for the Midwest Region published by the United States Department Of Energy. Fuel expense charges for the current invoice will be

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based on the previous month's average price for Regular Conventional Gasoline 1 published by the Department of Energy.

Transportation provider will calculate all fuel charges on a mileage basis for actual miles driven.

The rate for long haul service is based on 15 mile per gallon. Radius vans and road vans provide long haul service.

The rate for yard service is based on 9.7 miles per gallon. The rates above are provided for as needed, secondary service. In the event Coach America Crew Transport is selected to become the primary contract provider, at any time while these rates are in effect, Coach America Crew Transport will renegotiate based on the volumes and terms of a primary contract provider.