

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the ) APPLICATION NO. BR-345  
Prescription of Reasonable Rates )  
and Charges for Motor Carriers )  
Passengers and Property for Hire ) GRANTED  
subject to the Provisions of )  
Neb. Rev. Stat. (Reissue 2003), )  
Chapter 75, Articles 1 and 3. ) ENTERED: MAY 12, 2009

BY THE COMMISSION:

### OPINION AND FINDINGS

On February 11, 2009, Laidlaw Transit, Inc., Omaha, Nebraska, filed an amendment to its application for authority to amend its charter bus rates for its use as follows:

Description	Current	Proposed
1. Per hour charge or	\$37.50	\$45.00
2. Per Mile (Loaded or unloaded)	\$2.07	\$2.35
3. Minimum Charge	\$112.50	\$135.00

Note: Charges are based on either the mileage or the hourly rate, whichever is greater.

The application was published in the Daily Record on February 19, 2009. No protests to the application were received.

Applicant is a certificated common carrier which holds Certificate B-1275. The certificate authorizes the transportation of passengers and their baggage between points in Nebraska over irregular routes. The transportation of railroad train crews and their baggage is not authorized.

The Applicant last received a rate increase in February of 2007. The increase at that time averaged approximately seven percent.

According to the Applicant, the proposed rates are based on increasing expenses. Expenses such as vehicle maintenance, facilities and utilities have risen. The Applicant experienced gasoline costs last summer that were seventy-five percent higher than similar costs in 2006 before the last increase was granted.

The applicant also continues to experience increases in expenses to recruit, hire and retain employees. Its labor costs have increased for maintenance and staffing wages 6.0%, driver home to school wages increased 6.5%. Since the last increase in

## SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. BR-345

PAGE 2

2007, the applicant's drivers been represented by the Teamsters Union. Driver charter wages have increased 11.7% in the last year.

The Applicant further represented to the Commission staff that, pursuant to collective bargaining with the Teamsters, wages for non-driver charter drivers will increase another 3% in August. Driver charter wages are scheduled to increase another 8.5% during that same time. These increases are in addition to the increases set forth in the above paragraph. The Applicant has also experienced an increase in additional benefits for its employees also.

The Applicant states that the labor market in Omaha remains a challenge. The level of benefits and wages that it offers are said to be necessary to maintain quality employees.

The applicant also cited the purchase of several new vehicles in the past few months. It has replaced 25 buses since 2007. These purchases were made to improve customer service.

The proposed rates represent an increase in the hourly rate of twenty percent, in the mileage rate of thirteen percent, and the minimum charge of twenty percent.

The Commission is aware of several of the factors cited by the applicant in its request for a rate increase. The costs of doing business have risen for companies such as the applicant's. While the costs of gasoline have recently moderated back to levels where they were at the time of the last grant in 2007, there is still volatility in the gas cost.

The Commission is of the opinion that the rates requested are supported by the expenses set forth in the application. The request by the Applicant is based not only upon increases in costs that it has experienced in the past two years, but also the scheduled increases in wages for its employees that will take effect in August of 2009. Wages for its employees have risen around six percent in the past year, and are scheduled to increase another three percent. Charter driver wages will have increased by 19.2% when the increases take effect in August. These increases are also on top of other increases in costs incurred by the Applicant.

The rates as proposed are competitive with the rates on file for other carriers providing a similar service. The application is filed in compliance with Sections 75-308 (Rates) R.R.S. 2006 and the Commission rules.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. BR-345

PAGE 3

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 effective May 15, 2009

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective May 15, 2009, Laidlaw Transit, Inc., Omaha, Nebraska, be, and it is hereby, authorized to amend its charter bus rates for its use as follows:

Description	Rates
1. Per hour charge or	\$45.00
2. Per Mile	\$2.35
3. Minimum Charge	\$135.00

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

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Donald L. Vop*

*Frank E. Landis*  
Chairman

*Red Johnson*

ATTEST:

*Chris R. Hill*  
Executive Director

*Anne C. Bayle*

*Tim Schram*

//s// Frank E. Landis