

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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|-------------------------------|---|----------------------------|
| In the Matter of the |) | APPLICATION NO. BR-346 |
| 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: FEBRUARY 24, 2009 |
| Stat. (Reissue 2003), Chapter |) | |
| 75, Articles 1 and 3. | | |

BY THE COMMISSION:

OPINION AND FINDINGS

On February 6, 2009, Trease Enterprises, Inc., dba Special Moments Limousine, Clearwater, Nebraska, filed an application for authority to amend the following rate for its use in its operations as follows:

| Description | Proposed Rates |
|------------------------------|----------------|
| Party Bus Hourly Rental Rate | \$375/hour |

Empty mile charge:

| | |
|---|-------------|
| 1. A mileage charge will be assessed | \$1.75/mile |
| on all runs from Clearwater and outside | |
| Grand Island city limits. | |

The empty mileage charge is based upon a price of \$3.00 per gallon for diesel #2. A 5 cent per mile increase will be added for every 10 cent increase in the cost of diesel #2 over \$3.00 per gallon.

| | |
|---------------|--------------|
| Waiting Time: | \$75.00/hour |
|---------------|--------------|

Waiting time only applies when vehicle when vehicle has been idle for a minimum of one hour. Waiting time is in lieu of any other charges while vehicle is idle.

Emergency action is requested.

Applicant is a certificated common carrier which holds Certificate Number B-1711. The certificate allows the transportation of passengers and their baggage by bus in charter and special party service between all points in Nebraska over irregular routes. RESTRICTION: The

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transportation of railroad train crews and their baggage is not authorized.

The Applicant states to the Commission that its initial rate of \$500.00 per hour is not feasible in the market where it is operating. The Applicant believes that it will be economically feasible for it to operate at \$375.00 per hour. The applicant states to the Commission that the propsoed rate that will allow it to create enough revenue to meet its needs for ongoing service as well as provide a reasonable rate of return while being effective in its market area.

In applications such as these, the Commission must find that an emergency situation exists. Such a situation exists in this application as the Applicant is in a situation where its established rate is not providing an acceptable return. The reduction in the rate should be made as quickly as possible so as to become feasible in the Applicant's market area.

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 February 27, 2009.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective February 27, 2009, Trease Enterprises, Inc., dba Special Moments Limousine, Clearwater, Nebraska, be, and it is hereby, authorized to amend its rates for its use as follows:

| Description | Rates |
|------------------------------|------------|
| Party Bus Hourly Rental Rate | \$375/hour |

Empty mile charge:

1. A mileage charge will be assessed \$1.75/mile
on all runs from Clearwater and outside
Grand Island city limits.

The empty mileage charge is based upon a price of \$3.00 per gallon for diesel #2. A 5 cent per mile increase will be added for every 10 cent increase in the cost of diesel #2 over \$3.00 per gallon.

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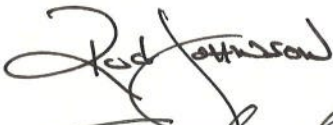
IT IS FURTHER ORDERED by the Nebraska Public Service that notice of this amendment to their rates be conspicuously displayed within each vehicle.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that 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 24th day of February, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Executive Director

//s// Frank E. Landis