

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) APPLICATION NO. BR-351
Prescription of Reasonable)
Rates and Charges for Motor) GRANTED IN PART, DENIED
Carriers Passengers and) IN PART ON AN EMERGENCY
Property for Hire subject to) BASIS
the Provisions of Neb. Rev.)
Stat. (Reissue 2003), Chapter) ENTERED: MAY 5, 2009
75, Articles 1 and 3.

BY THE COMMISSION:

OPININON AND FINDINGS

On April 29, 2009, Papio Transport Service, Inc., Papillion, Nebraska, filed an application for authority to establish rates for its use in its operations as follows:

| Description | Proposed Rates |
|--------------|-----------------|
| Regular Rate | \$16.50 one way |

| | |
|-----------------|-----------------|
| After Hour Rate | \$36.50 one way |
|-----------------|-----------------|

(Normal business hours are 6:00 a.m. until 8:00 p.m. Central Time Monday through Saturday. After hour rate applies to all pick-ups before or after normal business hours--After hour rate applies to trips outside of normal business hours.)

Holiday Charge: \$10.00 one way

(Holiday charge is in addition to all other charges on the following holidays: New Years Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.)

Additional Charges: If the primary passenger needs a medical escort, or needs to have additional family members accompany them, including foster parents or children, the charge is \$5.95 per additional passenger.

Emergency action is requested.

Applicant is a certificated common carrier which holds Certificate Number B-1733. The certificate authorizes the transportation of passengers in open class service over irregular routes between points in Douglas and Sarpy

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counties and between points in said counties. HHS Designation: Yes. Transportation of Railroad Train Crews: No

The Applicant received authority to operate from the Commission under Certificate Number B-1733 on April 21, 2009. 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 and other overhead charges.

The Commission finds that the application should be granted in part and denied in part. The proposed rate for regular hours is reasonable and should be approved on an emergency basis. However, the Commission finds that the Holiday Charges and Additional Charges should not be ruled upon until after the receipt of more information from the Applicant regarding these charges.

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 to operate 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 in part and denied in part on an emergency basis effective May 8, 2009.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective May 8, 2009, Papio Transport Service, Inc., Papillion, Nebraska, be, and it is hereby, authorized to establish rates for its use as follows:

| Description | Rates |
|-----------------|-----------------|
| Regular Rate | \$16.50 one way |
| After Hour Rate | \$36.50 one way |

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(Normal business hours are 6:00 a.m. until 8:00 p.m. Central Time Monday through Saturday. After hour rate applies to all pick-ups before or after normal business hours- After hour rate applies to trips outside of normal business hours.)

The Commission orders that additional information shall be submitted to the Commission for further consideration regarding the Holiday Charges and the Additional Charges.

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. 2008, and the Commissions Rules.

MADE AND ENTERED at Lincoln, Nebraska, this 5th day of May, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Vop

Juan Landis
Chairman

John J. Johnson

ATTEST:

Mike R. H. H.
Executive Director

Anne C. Bayle

Tim Schorn

//s// Frank E. Landis