

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the ) APPLICATION NO. BR-394  
Prescription of Reasonable )  
Rates and Charges for Motor )  
Carriers Passengers and ) GRANTED ON AN EMERGENCY  
Property for Hire subject to ) BASIS  
the Provisions of Neb. Rev. )  
Stat. (Reissue 2003), Chapter )  
75, Articles 1 and 3. ) ENTERED: AUGUST 2, 2011

BY THE COMMISSION:

### OPINION AND FINDINGS

On July 22, 2011, R & A Transport, L.L.C., York, Nebraska, filed an application for authority to amend its passenger transportation as follows:

Description	Current	Proposed
A. From point of origin to Destination	\$1.25/mile	
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Emergency action is requested.

The rates proposed are based upon the contract rate as set by the State of Nebraska Department of Health and Human Services rates under a program administered by AMR. Currently that contract rate is set at \$1.52 per mile.

The Applicant recently added a Supplement to its services in transportation people for Epworth Village in York and are in contract with the Nebraska Department of Health and Human Services (HHS) to include transportation for HHS clients on a broader geographic area under contract with HHS. The rate requested is somewhat higher than the contract rate with the Department, but this is an effort to leave some room for changes in the contract rate that would not necessitate another application for a change. The Commission finds that this request is reasonable. The Applicant cannot charge the Department a rate greater than that approved by the Commission, but can charge a lesser amount. If the contract rate with the Department exceeds

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\$1.52 per mile, then the Applicant will need to make another application to reflect this change.

In order to grant an application on an emergency basis, the applicant must show and the Commission must find that an emergency situation exists. The applicant represents to the Commission that it will be at a competitive disadvantage with regards to its Health and Human Services clients in both parts of its authority if the rate is not approved in light of the rate being raised by the Department of Health and Human Services to \$1.52 per mile.

The Commission does find that the rates should be approved on an emergency basis due to the fact that the applicant will be at a disadvantage with regards to the Department of Health and Human Services if the rate increase is not granted.

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 August 4, 2011.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service commission that R & A Transport L.L.C., York, Nebraska, be, and it is hereby, authorized, effective August 4, 2011 to amend its passenger transportation rates as follows:

A. From point of origin to Destination      \$1.52/mile

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. 2010, and the Commission rules.



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MADE AND ENTERED at Lincoln, Nebraska, this 2nd day of  
August, 2011.

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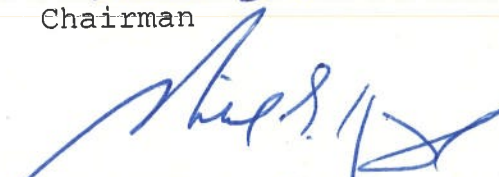
COMMISSIONERS CONCURRING

//s//Frank E. Landis  
//s//Tim Schram

  
Chairman

ATTEST:

  
Executive Director