

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application	)	APPLICATION NO. BR-468
of Unity Transit, LLC, Omaha,	)	
Nebraska, seeking to establish	)	
its rates and charges subject to	)	GRANTED IN PART AND DENIED
the Provisions of Neb. Rev.	)	IN PART ON AN EMERGENCY
Stat. (Reissue 2014), Chapter	)	BASIS
75, Articles 1 and 3.	)	
	)	
	)	ENTERED: February 3, 2015

BY THE COMMISSION:

### OPINION AND FINDINGS

On January 28, 2015, Unity Transit, LLC, Omaha, Nebraska, filed an application for authority to establish its rates as follows:

Description	Proposed
0-10 miles from point of origin to point of delivery per person,	\$16.00
Over 10 miles per trip but within city (not more than 20 miles) from point of origin to point of delivery per person	\$1.45/mi
Rural transportation (0 to 20 miles or more)	\$1.40/mi
Additional Passenger/stop	\$6.95
Person in wheelchair	\$28.75

Emergency action is requested.

Applicant is a certificated carrier which holds Certificate Number B-1886. The certificate authorizes the transportation of passengers by van between points in Douglas County. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. The Certificate was granted on January 6, 2015.

The Applicant is establishing its rates for use in this certificate. The Applicant represents to the Commission that the proposed rates are based upon estimated expenses in insurance, gas, and staff time necessary to provide the transportation.

The Commission finds that the application should be granted in part and denied in part. The Commission has found in

previous proceedings (BR-332 League of Human Dignity) that a differential charge for individuals with disabilities would be a violation of the Americans With Disabilities Act. Therefore, the Commission should deny that part of the application proposing a \$28.75 charge for a person in a wheelchair. The remainder of the proposed rates are reasonable and competitive and should be granted on an emergency basis

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 operations under its certificate as granted until the rates are approved. Therefore, the Commission finds that an emergency basis exists that allows the Commission to grant the application in part on an emergency basis.

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 February 13, 2015.

#### ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Unity Transit, LLC, Omaha, Nebraska, be, and it is hereby, authorized to establish rates for its services on an emergency basis effective February 13, 2015, as follows:

Description	Rate
0-10 miles from point of origin to point of delivery per person,	\$16.00
Over 10 miles per trip but within city (not more than 20 miles) from point of origin to point of delivery per person	\$1.45/mi
Rural transportation (0 to 20 miles or more)	\$1.40/mi
Additional Passenger/stop	\$6.95

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. 2014, and the Commission rules.

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MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of  
February, 2015.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING

*Tim Schram*

*Don Forster*

*Crystal Knorr*

Chairman

*Gerald L. Vap*

ATTEST:

*Steve Menard*

Executive Director

//s//Gerald L. Vap