BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

| In the Matter of R & A |) | Application No. BR-501/B-1645 |
|--------------------------------|---|-------------------------------|
| Transport, York, seeking to |) | |
| amend its rates and charges |) | |
| subject to the Provisions of |) | GRANTED ON AN EMERGENCY BASIS |
| Neb. Rev. Stat. Chapter 75, |) | ©. |
| Articles 1 and 3 (Supp. 2015). |) | Entered: April 26, 2016 |

BY THE COMMISSION:

OPINION AND FINDINGS

On April 6, 2016, R & A Transport, L.L.C., York, Nebraska, filed an application for authority to amend its passenger transportation as follows:

| Description | | Current | Proposed |
|-------------|-------------------------------------|-------------|-------------|
| Α. | From point of origin to Destination | \$1.52/mile | |
| В. | From point of origin to Destination | 4. | \$1.75/mile |

Emergency action is requested.

The Applicant holds authority under Certificate Number B-1645, which reads as follows:

SERVICE AND TERRITORY AUTHORIZED: Transportation passengers between the facilities of Epworth Village in Grand Island and York, Nebraska, on the one hand, and, on other hand, points in Nebraska under continuing contracts with Epworth Village, Inc., the Nebraska Department of Health and Human Services subcontractors thereof. RESTRICTION: Service restricted to traffic originating at or destined to the facilities of Epworth Village, Inc., SUPPLEMENT 1: Transportation of passengers and their baggage by sedan and van between all points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. Further restricted against transportation originating in Cass, Dodge, Douglas, Sarpy, Saunders, and Washington counties except that authority already allowed to the Applicant for passengers and their baggage originating at or destined to Epworth Village, Inc. Further restricted against transportation originating and terminating in the same trip in Lancaster, Gage, Johnson, Pawnee, and Richardson county, except that authority already allowed to the Applicant for passengers and their baggage originating at or destined to Epworth

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Village, Inc. Further restricted against transportation originating in Jefferson, Saline, and Thayer counties except that authority already allowed to the Applicant for passengers and their baggage originating at or destined to Epworth Village, Inc.

The Applicant was last granted an increase in August of 2011. The increase granted at that time was in conjunction with an increase in the rate available to it from its contract with the Nebraska Department of Health and Human Services (Department).

The rates proposed are based upon the contract rate as set by the Department rates under a program administered by Intelliride. Currently, that contract rate is set at \$1.63 per mile.

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 to the Commission 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 \$1.75 per mile, 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 to more than the currently approved rate of \$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 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 May 6, 2016.

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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 May 6, 2016, to amend its passenger transportation rates as follows:

A. From point of origin to Destination \$1.75/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. 2015, and the Commission rules.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 26th day of April, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISŞIONERS CONCURRING

Geold Lly Gestal Guardes

Chairman

ATTEST:

Executive Director

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