

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Petition for	)	Application No. DR-0009/
Declaratory Ruling of Golden	)	B-1829
Plains Services, Inc. d/b/a GPS	)	
Transportation, Lincoln, seeking	)	
determination that	)	
Neb.Admin.Code, Title 291, Chap.	)	
3, §001.01(E) and §001.01(F)	)	
permit on-demand transportation	)	
services for open class carriers	)	
that were engaging in on-demand	)	
transportation services prior to	)	
changes approved in Rule and	)	
Regulation Docket No. 199	)	
effective January 16, 2019;	)	ORDER DENYING STAY
search all open class carriers	)	
for any and all carriers that	)	
have provided on-demand services	)	
and would be adversely affected	)	
by the rule changes approved in	)	
Rule and Regulation Docket No.	)	
199; investigate and schedule a	)	
hearing on the effect on carriers	)	
of any service classification	)	
regarding the observation of	)	
precedent; and define the	)	
criteria for observing precedent	)	
when a change is made to rules	)	
and regulations.	)	Entered: February 5, 2019

BY THE COMMISSION:

On January 18, 2019, Golden Plains Services, Inc. d/b/a GPS Transportation ("GPS"), Lincoln, filed an application requesting a declaratory ruling from the Commission for the following: to determine whether N.A.C. Title 291, Chap. 3, §001.01(E) and §001.01(F) permit on-demand transportation services for open class carriers that were engaging in on-demand transportation services prior to changes approved in Rule and Regulation Docket No. 199 effective January 16, 2019; search all open class carriers for any and all carriers that have provided on-demand services and would be adversely affected by the rule changes approved in Rule and Regulation Docket No. 199; investigate and schedule a hearing on the effect on carriers of any service classification regarding the observation of precedent; and

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define the criteria for observing precedent when a change is made to rules and regulations. Notice of the declaratory ruling petition was published in The Daily Record, Omaha, Nebraska, on January 24, 2019.

On January 29, 2019, GPS filed a request for stay of Commission enforcement of the recent rule amendments approved in Rule and Regulation No. 199, effective January 16, 2019, against GPS during the pendency of the declaratory ruling petition. In its request, GPS states that it would like to continue providing on-demand services as it had done prior to the recent rules becoming effective.

Having been duly advised on the premises, the Commission finds that GPS' request for stay of enforcement of the rule amendments approved in Rule and Regulation 199, effective January 16, 2019, pending a decision of the Commission related to the above-captioned docket is denied.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the January 29, 2019 request for stay of enforcement action filed by Golden Plains Services, Inc. d/b/a GPS Transportation be, and is hereby, denied.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 5<sup>th</sup> day of February, 2019.

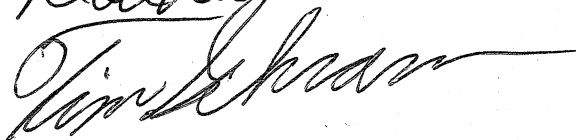
NEBRASKA PUBLIC SERVICE COMMISSION


COMMISSIONERS CONCURRING:









  
Chair

ATTEST:  
  
Executive Director