

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the ) APPLICATION NO. LR-252  
Prescription of Reasonable Rates )  
and Charges for Motor Carriers ) GRANTED IN PART AS AMENDED  
Passengers and Property for Hire )  
Subject to the Provisions of )  
Neb. Rev. Stat. (Reissue 1996), ) ENTERED: APRIL 12, 2005  
Chapter 75, Articles 1 and 3. )

BY THE COMMISSION:

## O P I N I O N   A N D   F I N D I N G S

On January 19, 2005, VIP Limousine, L.L.C., Omaha, Nebraska, filed an application for authority to amend its rates and charges applying in Nebraska intrastate commerce for the transportation of passengers and their baggage between points in Nebraska as follows:

Peak Rate Times	Current	Proposed
Executive Sedans	\$50	\$50
Non Stretch Limousine	---	\$85
6 Passenger Limousine	\$60	\$60
8 Passenger Limousine	\$70	\$70
10 Passenger Limousine	\$80	\$95
12 Passenger Limousine	\$90	\$100
14 Passenger limousine	\$100	\$120
7 Passenger Minivan	\$65	\$65
12-15 Passenger Van	\$70	\$85
8-10 Passenger Limo Van	\$85	\$85
Excursion Stretch <140"	----	\$125
Excursion Stretch ≥140"	----	\$155
H2, Navigator, Excalade or Equivalent Stretch <140"	\$155	\$165
H2, Navigator, Excalade or		

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Equivalent Stretch $\geq$ 140"	\$195	\$195
Limousine Bus 30 passengers Or more	----	\$125
Limousine Bus 29 passengers Or Less	----	\$125
Airport Transfers:		
Sedan Only	\$45	\$60
Within City Limits of Omaha Or Lincoln		
Sedan Transfer	----	\$125
From Lincoln to Omaha or Omaha to Lincoln		
4-6 people within Omaha or Lincoln	\$50	\$80
Add \$5 for each additional Person		

All Rates Subject to an 18% fuel and insurance surcharge  
and a 20% gratuity.

Off Peak Rates Subject to:  
Deduct \$22 an hour off regular rate for stretch limousines  
Deduct \$40 an hour off regular rate for all SUV limousines

Off Peak Rates Subject to the Following Exceptions:  
Peak Rates apply after 4PM on Friday until 1 AM on Saturday:  
After 2 PM Saturday until 1 AM on Sunday

Peak Rates also apply on holidays, game days, and special  
Occasions such as prom, concerts, etc.

Peak Rates apply after 4PM Thanksgiving through January 19

All vehicles subject to a two (2) hour minimum Sunday-Thursday,  
excluding package rates

All vehicles subject to three (3) hour minimum Friday and Saturday,  
excluding package rates

All vehicles subject to a five (5) hour minimum, busses subject to an  
eight (8) hour minimum, Saturday between 3PM and 7PM excluding package  
rates

In Omaha and Lincoln Metro areas, time will begin when customer is  
picked up and end when driver is released

Outside Omaha and Lincoln Metro areas, time will be calculated from  
garage to garage.

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## EXHIBIT A

<u>Peak Rate Times</u>	<u>Newer</u>	<u>1997 &amp; Older</u>
Executive Sedans	\$50	
Non Stretch Limousine	\$85	
6 Passenger Limousine	\$60	\$55
8 Passenger Limousine	\$70	\$65
10 Passenger Limousine	\$95	\$75
12 Passenger Limousine	\$100	\$85
14 Passenger limousine	\$120	\$95
7 Passenger Minivan	\$65	
12-15 Passenger Van	\$85	
8-10 Passenger Limo Van	\$85	
Excursion Stretch <140"	\$125	
Excursion Stretch ≥140"	\$155	
H2, Navigator, Excalade or Equivalent Stretch <140"	\$165	
H2, Navigator, Excalade or Equivalent Stretch ≥140"	\$195	
Limousine Bus 30 passengers Or more	\$125	
Limousine Bus 29 passengers Or Less	\$125	
Airport Transfers:		
Sedan Only	\$60	
Within City Limits of Omaha Or Lincoln		
Sedan Transfer	\$120	
From Lincoln to Omaha or Omaha to Lincoln		

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4-6 people within Omaha  
or Lincoln \$80  
Add \$5 for each additional  
Person

Off Peak Rates Subject to:  
Deduct \$22 an hour off regular rate for stretch limousines  
Deduct \$40 an hour off regular rate for all SUV limousines

Off Peak Rates Subject to the Following Exceptions:  
Peak Rates apply after 4PM on Friday until 1 AM on Saturday:  
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Peak Rates also apply on holidays, game days, and special  
Occasions such as prom, concerts, etc.

Peak Rates apply after 4PM Thanksgiving through January 19

All vehicles subject to a two (2) hour minimum Sunday-Thursday,  
excluding package rates

All vehicles subject to three (3) hour minimum Friday and  
Saturday, excluding package rates

In Omaha and Lincoln Metro areas, time will begin when customer is  
picked up and end when driver is released

Outside Omaha and Lincoln Metro areas, time will be calculated  
from garage to garage.

Rates are subject to prepay bonus:

Prepay 4 hours Sunday through Thursday and receive 5<sup>th</sup> hour  
free

Prepay 5 hours Friday or Saturday and receive 6<sup>th</sup> hour free

Free time may be excluded on holidays, special events and  
blackout dates

Split hours are subject to a \$50 split fee

Wait time may be calculated at half the hourly rate.

Bookings made within 30 days of trip subject to Off-Peak Rates.

Corporate Rates Subject to:

Every 4 hours purchased in a month 1 hour free

VIP Limousine reserves the right to substitute vehicles of equal  
or greater size without notice.

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Rates are subject to prepay bonus:

Prepay 4 hours Sunday through Thursday and receive 5<sup>th</sup> hour free

Notice of the application was published in the Daily Record, Omaha, Nebraska, on January 20, 2005, pursuant to the Commission's rules. The application is unprotested.

Applicant is a certified common carrier which holds Certificate B-1640. The certificate authorizes the transportation of passengers and their baggage by luxury sedan limousines between points in Washington, Sarpy, Douglas, and Cass Counties. SUPP. 1(a): Passengers and their baggage by luxury sedan, limousine, and passenger vans between points in Nebraska. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. The use of rate meters is not authorized. The transportation of clients of the Department of Health and Human Services is not authorized.

The Applicant states that the increase is necessary to meet significant increases in its operating costs. The primary areas of expense increases are in fuel and insurance. An examination of financial information provided to staff by the Applicant shows a loss for 2004. The expectation of the Applicant is continued losses due to an increase in costs that it expects to incur in 2005.

The basis stated by the applicant for the fuel and insurance surcharge is the large increase in fuel prices that has occurred since in 2004 and continued into 2005. The applicants fuel costs have doubled due to the increase in gasoline costs from \$1.50 to over \$2.00 in the last six months.

The applicant's insurance premiums are another stated reason for the requested charges. The annual premium that the applicant pays has trebled in the last two years, which has created a drain on the company's ability to operate and maintain its fleet and services.

After the publication of this application and based upon discussions with Commission staff, the applicant has proposed that the language related to the 20% gratuity charge be amended to reflect that the gratuity is recommended by the company and that it is to be paid to the driver. The applicant also requested that the fuel and insurance surcharge be amended down from 18% to 8% if the client makes his or her reservation for services on-line, and 10% if the client makes the reservation in another manner. As these are a reduction from the published rate, there is no need to republish the application to reflect these changes.

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The Commission finds that the rates as proposed by the applicant are competitive with rates on file for other limousine carriers offering similar services. However, the Commission finds that the tariff should have no recommendation or mention of any gratuity. Gratuities should only be paid at the discretion of the client, and should not be guided or influenced in any manner. The Commission finds that the reference to a recommended gratuity be stricken from the tariff.

The Commission further finds that the proposed fuel and insurance surcharge should not be approved without receiving further evidence. The applicant should contact Commission staff within 10 days of this order to schedule a hearing on the fuel and insurance surcharge.

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 with the amendments set forth above effective April 22, 2005.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective April 22, 2005, VIP Limousine, L.L.C., Omaha, Nebraska, be, and it is hereby, authorized to establish rates for its use as set forth in Exhibit A attached hereto.

IT IS FURTHER ORDERED that the applicant is to contact Commission staff within 10 days of the date of this order to schedule a hearing on the fuel and insurance surcharge.

MADE AND ENTERED at Lincoln, Nebraska, this 12th day of April, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*[Signature]*

*[Signature]*

//s// Anne C. Boyle  
//s// Gerald L. Vap  
//s// Frank E. Landis

*[Signature]*  
Chairman

ATTEST:

*[Signature]*  
Executive Director