

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	APPLICATION NO. LR-263
Prescription of Reasonable Rates)	
and Charges for Motor Carriers)	GRANTED ON AN EMERGENCY
Passengers and Property for Hire)	BASIS
Subject to the Provisions of)	
Neb. Rev. Stat. (Reissue 1996),)	
Chapter 75, Articles 1 and 3.)	ENTERED: NOVEMBER 29, 2005

BY THE COMMISSION:

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

On November 18, 2005, Brown's Crew Car of Wyoming, Inc., d/b/a Armadillo Express, Cheyenne, Wyoming, 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:

Part I, Mileage Rates: . . .

Add a new Paragraph G as follows:

D (iii). If the vehicle dispatched from Fremont, Grand Island, North Platter or South Morrill is delayed beyond the free time provided in Subparagraph (i) above, a charge of 32.5 cents per minute for the time consumed by such delay beyond the free time shall be made.

(iv) Except as provided in Subparagraph (iii) above, if the vehicle is delayed beyond the free time provided in Subparagraph (i) above, a charge of \$8.50 for each half hour or fraction thereof for the time consumed by such delay beyond the free time shall be made.

Emergency action is requested.

Applicant is an authorized common carrier holding operation authority from the Commission in Certificate B-1144 and supplements thereto. The authority granted permits the transportation of passengers and their baggage between points in Nebraska.

In support of this application, the Applicant states that the proposed changes and additions to Part I are made at the request of the Union Pacific Railroad Company in order for the

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Applicant billings to its customers be able to more readily interface with the railroad's payment system. The Applicant states that the changes will be revenue neutral from its perspective.

The Applicant further represents that it serves Union Pacific in eight other states, and that in all other jurisdictions the per-minute detention charges are being concurrently implemented. The Applicant states that failure to grant this application on an emergency basis would result in inefficiency for the applicant as it would not be able to use its single system-wide billing system.

Commission staff did review this application with Ms. Doralu Streeter from the Union Pacific. She did state to staff that they were in support of the application as submitted, that Nebraska would be the first state to have the ability to use the new billing system, and that it would be revenue neutral for the railroad.

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 December 5, 2005.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective December 5, 2005, Brown's Crew Car of Wyoming, d/b/a Armadillo Express, Cheyenne, Wyoming, be, and it is hereby, authorized to amend its rates for its use as set out above.

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. 2003, and the Commission's rules.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of November, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
//s// Rod Johnson
//s// Frank E. Landis

Vice - Chairman *Rod Johnson*

ATTEST:

Frank E. Landis
Executive Director