

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) APPLICATION NO. LR-271
Prescription of Reasonable Rates)
and Charges for Motor Carriers)
Passengers and Property for Hire)
Subject to the Provisions of) GRANTED
Neb. Rev. Stat. (Reissue 1996),)
Chapter 75, Articles 1 and 3.)

ENTERED: JANUARY 23, 2007

BY THE COMMISSION:

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

On August 10, 2006, 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:

- A. Change Rate per round trip mile for the transportation of passengers and their baggage between points in Nebraska:

Current: \$0.625 per mile Proposed: \$0.65 per mile

- B. Minimum charge per trip:

Current: \$25.00 Proposed: \$24.35

Following changes in language are noted by underlining.

D. Change language as follows: When due to no disability, fault or negligence on the part of the carrier, the carrier's vehicle is detained (which term includes loading and unloading) at or on the premises of the customer, or if at the request of the customer an interruption occurs during the course of a trip, the following shall apply:

- (i) free time for loading, unloading, and any one or more interruptions caused by an official stop or interruption of trip at customer's request shall be thirty (30) minutes per trip in the aggregate.
- (ii) [Delete "in service" from paragraph]
- (iii) Except as provided in Subparagraph (iv) below, if the vehicle is dispatched from Fremont, Grand Island,

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North Platte or South Morrill and is detained beyond the free time provided in Subparagraph (i) above, a charge of 25 cents per minute for the time consumed due to loading, unloading and interruptions beyond the free time shall be made (per minute proposed to be reduced from \$0.325 cents per minute to \$0.25 cents per minute)

(iv) [New] If the vehicle is dispatched from Fremont, Grand Island, North Platter or South Morrill and at the time service is requested the trip is designated as an "Assist " by the customer, no free time shall be allowed and a charge of 27.5 cents per minute for the time consumed due to loading, unloading and interruptions shall be made.

(v) Except as provided in Subparagraphs (iii) and (iv) above, if the vehicle is detained 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 detention beyond the free time shall be made.

Change in Note: For purposes of Part I, (a) "trip" means the movement of a vehicle under dispatch by Carrier at the request of a customer from a designated starting point to point of destination and back to designated starting point, inclusive of any out-of-route miles traveled at customer request, without regard to whether the vehicle is occupied by passengers during all or any part of such trip; (b) "round trip mile" means each mile traveled by a vehicle under dispatch by Carrier at the request of a customer in the course of a trip; and (c) "interruption" means any stopping of a vehicle at customer request during the course of a trip.

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 rate change in the mileage rates is a four percent increase. They state that the increase is necessitated by increases in costs such as vehicles, repairs and maintenance and employee compensation. The increases in line-haul rates, the establishment of detention charges for "Assist" trips and the reduction in other detention charges were all negotiated between the applicant and the Union Pacific Railroad Company. Term definition was proposed in order to eliminate possible ambiguities in their tariff.

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The Commission finds that the rates as proposed are reasonable and should be approved. The Commission also finds that the language changes as proposed should also be adopted.

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 effective February 2, 2007.

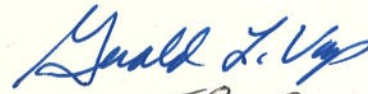

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective February 2, 2007, 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.

MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of January, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

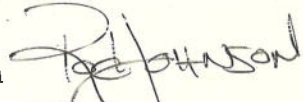

COMMISSIONERS CONCURRING:

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

Chairman

ATTEST:



Executive Director