

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	APPLICATION NO. LR-303
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 2003),)	
Chapter 75, Articles 1 and 3.)	ENTERED: AUGUST 4, 2009

BY THE COMMISSION:

OPINION AND FINDINGS

On July 9, 2009, SMC Shared Mobility Coach, Omaha, Nebraska, filed an application for authority to amend its open class rates for its use as follows:

Description	Proposed Rates
I. Base Rates: (Trips up to ten miles of point of origin)	
A. Two rates based upon:	
1. Equipment Required: lift usage for adaptive equipment.	
2. Services required: driver assistance required by the riders special needs.	
3. Time required for each individual to meet their needs: the securing required for the individual and their adaptive equipment.	
Rate 1: I. - A. \$34.00	
Rate 2: I. - A. \$47.00	

II. Mileage Rates: (Trips exceeding ten miles from point of origin)

- A. Two mileage rates based upon:
1. Equipment required: lift usage for adaptive equipment.
 2. Services required: driver assistance required by the riders for their special needs.
 3. Time required for each individual to meet their needs: the securing required for the individual and their adaptive equipment.

Rate 2: II. - A. \$3.04/mile

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Rate 2: II. - A. \$3.90/mile

III. Hourly rate where the driver and van are required to remain on site for an amount of time:

\$85.00/hour

Emergency action is requested.

Applicant is a certificated common carrier which holds Certificate B-1669. The certificate authorizes the transportation of passengers and their baggage in vans especially modified according to the Americans with Disabilities Act who require driver assistance to board and exit the vans, and their attendants, between points within a 60 mile radius of Omaha on a flat rate basis within ten miles of the point of origin and on a mileage basis thereafter.

The Applicant last received a rate increase approximately eleven years ago. Since that time the cost of fuel has increased greatly. Other cost factors have also increased for the Applicant, most especially the cost of insurance. Increases of costs of this magnitude have a major negative effect on the operations of companies such as the Applicant.

The rates as applied for are based upon current contractual rates as approved by the Nebraska Department of Health and Human Services. The majority of the trips performed by the applicant, stated to be over ninety percent by the Applicant, are under contract with the Department. While they are a substantial increase in rates compared to current rates on file with the Commission, the Commission finds that the rates are reasonable under the circumstances of the length of time since the last increase in the Applicant's rates as well as the contractual amount in contracts with the Department of Health and Human Services.

The rates proposed are reasonable for the service provided. The application is filed in compliance with Sections 75-308 (Rates) R.R.S. 2007 and the Commission rules.

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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 August 10, 2009.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that, effective August 10, 2009, SMC Shared Mobility Coach, Omaha, Nebraska, be, and it is hereby, authorized to amend its open class rates for its use as follows:

Description	Rates
I. Base Rates: (Trips up to ten miles of point of origin)	
a. Two rates based upon:	
i. Equipment Required: lift usage for adaptive equipment.	
ii. Services required: driver assistance required by the riders special needs.	
iii. Time required for each individual to meet their needs: the securing required for the individual and their adaptive equipment.	
	Rate 1: I. - A. \$34.00
	Rate 2: I. - A. \$47.00
II. Mileage Rates: (Trips exceeding ten miles from point of origin)	
A. Two mileage rates based upon:	
1. Equipment required: lift usage for adaptive equipment.	
2. Services required: driver assistance required by the riders for their special needs.	
3. Time required for each individual to meet their needs: the securing required for the individual and their adaptive equipment.	
	Rate 2: II. - A. \$3.04/mile
	Rate 2: II. - A. \$3.90/mile

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II. Hourly rate where the driver and van are required to remain on site for an amount of time:

\$85.00/hour

IT IS FURTHER ORDERED by the Nebraska Public Service that notice of this amendment to their rates be conspicuously displayed within each vehicle.

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. 2007, and the Commissions Rules.





MADE AND ENTERED at Lincoln, Nebraska, this 4th day of August, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

 Chairman 

ATTEST:




Executive Director 

//s// Frank E. Landis