

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the	)	APPLICATION NO. LR-315
Prescription of Reasonable Rates	)	
and Charges for Motor Carriers	)	
Passengers and Property for Hire	)	GRANTED ON AN EMERGENCY
Subject to the Provisions of	)	BASIS
Neb. Rev. Stat. (Reissue 2003),	)	
Chapter 75, Articles 1 and 3.	)	
	)	ENTERED: JUNE 29, 2010

BY THE COMMISSION:

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

On June 17, 2010, OMALiNK, Inc., Lincoln, Nebraska filed an application for authority to amend limousine rates for its use as follows:

Description	Rates	Proposed
Sedan Limousine Service:	\$79.95	\$89.95
Standard Limousine Service:	\$89.95	\$109.95
Stretch Limousine Service: (excluding Wedding Service)		\$169.95
(1) Service Commencing Monday through Thursday:	\$139.95	
(2) Service Commencing Friday through Sunday:	\$149.95	
Wedding Service:		
(1) First Hour:	\$224.95	\$299.95
(2) Second Hour:	\$134.95	\$139.95
(3) Third and Subsequent Hours:	\$149.95	
Executive Transfer Service- 5 Passenger Sedan:	\$49.95	\$59.95
Wait Time:		
(1) Sedan Service:	\$25.00	\$25.00
(2) Standard Limousine Service:	\$35.00	\$35.00
(3) Stretch Limousine Service:	\$45.00	\$45.00
Out-of-Lincoln Fuel Surcharge:	\$65.00	\$65.00
Notes Applicable to Limousine Service:		

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. LR-315

PAGE 2

1. Sedan Limousine, Standard Limousine Service and Stretch Limousine Service Rates and the Outside-of-Lincoln Fuel Surcharge are priced per hour or fraction thereof, subject to a one (1) hour minimum charge. Executive Transfer Service is priced per trip.
2. For Standard Limousine Service beginning and ending within Lincoln city limits, time begins at point of initial passenger pickup and ends when the vehicle has arrived at point of final passenger discharge, all passengers have disembarked and the vehicle has been released. Time for all other Sedan Limousine Service, Standard Limousine Service and Stretch Limousine Service begins when vehicle is dispatched and ends when vehicle returns to point of dispatch.
3. Where Stretch Limousine Service is requested for a wedding, the Wedding Service Rate shall apply in lieu of the Stretch Limousine Service Rate. Wedding Service includes uniformed driver, red carpet roll-out and glassware service, in addition to all services included as a part of Stretch Service Limousine Service.
4. Executive Transfer Service applies only on trips wholly within the city limits of Lincoln, Nebraska. Except for the carriers convenience, Executive Transfer Service will be provided only using a 5 passenger sedan. In the event Executive Transfer Service is requested and the carrier is subsequently requested to extend the trip outside the city limits of Lincoln, Nebraska, the trip shall constitute Sedan Limousine Service, and the entire trip will be subject to rates applicable to Sedan Limousine Service.
5. Wait Time charges are priced per hour or fraction thereof, and will be recorded in increments of 6 minutes. Wait Time includes all time following initial passenger boarding when all passengers have disembarked the vehicle (whether at an intermediate or final stop) and the vehicle has not been released. A Wait Time Charge shall not be assessed except to the extent the amount of the Wait Time exceeds the amount of unused Sedan Limousine Service, Standard Limousine Service or Stretch Limousine Service time for which an hourly charge is to be assessed as provided.
6. Limousine Service Rates in all instances include exclusive use of vehicle.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. LR-315

PAGE 3

7. Vehicle size is determined based on available passenger seats (excluding the driver), without regard to factory-rated seating capacity.
8. Where a requested vehicle is not available, Carrier for Carrier's convenience may furnish a larger vehicle, in which event Carrier's charges shall be determined on the basis of Carrier's rate for the vehicle size requested.
9. An Outside-of-Lincoln Fuel Surcharge will apply only of trips extending beyond the city limits of Lincoln, Nebraska.

Emergency action is requested.

The Applicant is a certificated common carrier which holds Certificate B-1628, Supplement 1, which authorizes the transportation of passengers and their baggage in limousine service between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.

The Applicant established its rates for use in its limousine operations in August of 2008. This is the first request for an increase in its rates since that order.

In support of its application, the Applicant states that some of its expenses have increased and revenues have decreased. In Appendix E submitted by the Applicant, the insurance charges for the 2008-2009 fiscal year were \$28,528.00. In Appendix G, the Applicant showed a billing of \$33,113.00. This is an increase of sixteen percent. Payroll for the company also increased between 2008 and 2009 by 5.4 percent.

The Applicant also experienced a decrease in total expenses in 2009 of over \$33,000 in 2009. This was due to a decrease in gasoline costs from \$122, 2323 in 2008 to \$83,999 in 2009. However, the Applicant submitted to the Commission a report from the United States Energy Information Administration that shows that the average cost of fuel dropped from \$3.25 in 2008 to \$2.34 in 2009. However, the cost of gasoline has risen sharply in 2010, with the monthly price of fuel not less than \$2.64 and up to \$2.84, resulting in an increase in the first five months of 2010 of eighteen percent over 2009. This is a situation that is not expected to improve in the near future.

The Applicant also apparently incurred a decrease in revenues in 2009. The decrease was around \$17,000 (see Appendix

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. LR-315

PAGE 4

A). The net result for the Applicant is that it had a net profit of \$16,029 in 2009. This number would not be expected to improve as costs for fuel should remain high for the foreseeable future.

The Applicant has requested increases in its rates of between four and thirty-three percent. In light of the financial situation of the Applicant regarding its net revenue and expected cost structure, and the time since the last increase, the Commission finds that these proposed increases are reasonable under the circumstances and should be approved. The Commission finds that an emergency situation exists due to the price of gasoline having increased by eighteen percent in the last few months and the negative impact that these increases have on the ability of the Applicant to continue to provide service under its certificate.

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 July 2, 2010.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective July 2, 2010, OMALiNK, Inc., Lincoln, be, and it is hereby, authorized to amend limousine rates for its use as follows:

Description	Rates
Sedan Limousine Service:	\$89.95
Standard Limousine Service:	\$109.95
Stretch Limousine Service: (excluding Wedding Service)	\$169.95
Wedding Service:	
(1) First Hour:	\$299.95
(2) Second Hour:	\$139.95
(3) Third and Subsequent Hours:	\$149.95
Executive Transfer Service- 5 Passenger Sedan:	\$59.95
Wait Time:	
(1) Sedan Service:	\$25.00

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. LR-315

PAGE 5

(2) Standard Limousine Service: \$35.00  
(3) Stretch Limousine Service: \$45.00

Out-of-Lincoln Fuel Surcharge: \$65.00

Notes Applicable to Limousine Service:

1. Sedan Limousine, Standard Limousine Service and Stretch Limousine Service Rates and the Outside-of-Lincoln Fuel Surcharge are priced per hour or fraction thereof, subject to a one (1) hour minimum charge. Executive Transfer Service is priced per trip.
2. For Standard Limousine Service beginning and ending within Lincoln city limits, time begins at point of initial passenger pickup and ends when the vehicle has arrived at point of final passenger discharge, all passengers have disembarked and the vehicle has been released. Time for all other Sedan Limousine Service, Standard Limousine Service and Stretch Limousine Service begins when vehicle is dispatched and ends when vehicle returns to point of dispatch.
3. Where Stretch Limousine Service is requested for a wedding, the Wedding Service Rate shall apply in lieu of the Stretch Limousine Service Rate. Wedding Service includes uniformed driver, red carpet roll-out and glassware service, in addition to all services included as a part of Stretch Service Limousine Service.
4. Executive Transfer Service applies only on trips wholly within the city limits of Lincoln, Nebraska. Except for the carriers convenience, Executive Transfer Service will be provided only using a 5 passenger sedan. In the event Executive Transfer Service is requested and the carrier is subsequently requested to extend the trip outside the city limits of Lincoln, Nebraska, the trip shall constitute Sedan Limousine Service, and the entire trip will be subject to rates applicable to Sedan Limousine Service.
5. Wait Time charges are priced per hour or fraction thereof, and will be recorded in increments of 6 minutes. Wait Time includes all time following initial passenger boarding when all passengers have disembarked the vehicle (whether at an intermediate or final stop) and the vehicle has not been released. A Wait Time Charge shall not be assessed except to the extent the amount of the Wait Time exceeds the amount of unused Sedan Limousine Service, Standard Limousine Service or Stretch Limousine Service time for which an hourly charge is to be assessed as provided.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. LR-315

PAGE 6

6. Limousine Service Rates in all instances include exclusive use of vehicle.
7. Vehicle size is determined based on available passenger seats (excluding the driver), without regard to factory-rated seating capacity.
8. Where a requested vehicle is not available, Carrier for Carrier's convenience may furnish a larger vehicle, in which event Carrier's charges shall be determined on the basis of Carrier's rate for the vehicle size requested.
9. An Outside-of-Lincoln Fuel Surcharge will apply only of trips extending beyond the city limits of Lincoln, Nebraska.

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 June, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  


//s// Frank E. Landis  
//s// Gerald L. Vap

COMMISSIONERS DISSENTING:

//s// Anne C. Boyle

Chairman



ATTEST:

  
Executive Director