

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of AAA Quality)	Application No. M-14124
Movers, Omaha, Nebraska.)	
)	ORDER REVOKING CERTIFICATE
)	
)	Entered: May 10, 2016

BEFORE THE COMMISSION:

On February 1, 2016, the Nebraska Public Service Commission ("Commission") sent a letter certified mail to AAA Quality Movers ("AAA"), Omaha, to inform AAA that its authority granted in Application No. M-14124 on March 25, 1997, was considered dormant. On March 15, 2016, the Commission entered an order for AAA to show cause as to why AAA's authority should not be revoked.

A hearing was held on April 19, 2016, in the Commission Hearing Room. Mr. Mark Breiner and Ms. Jamie Reyes appeared on behalf of the Commission. No one appeared on behalf of AAA.

E V I D E N C E

Mr. Mark Breiner, Director of the Motor Transportation Department, testified before the Commission. Mr. Breiner stated that AAA has not had any vehicles on file with the Commission nor paid the required annual fees. According to Mr. Breiner, several letters were sent to the business address for the company, which were returned as undeliverable; several phone calls have never been answered; and the business location is vacant. As a result of his investigation, Mr. Breiner concluded that the company is no longer in business and recommended that the Commission revoke the certificate for AAA for failure to comply with Nebraska statutes and Commission Rules and Regulations.

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

All household goods movers are regulated by the Commission pursuant to Neb. Rev. Stat. §§ 75-101 et. seq. (Supp. 2015), § 75-301 et. seq. (Supp. 2015), and Title 291, NAC Ch. 3 of Commission Rules and Regulations.

NEB. REV. STAT. § 75-305(1) (Supp. 2015) requires all regulated motor carriers except transportation network companies to pay an annual fee to the Commission in an amount determined by the Commission not to exceed eighty dollars (\$80) on each

motor vehicle operated. Annual fees are due and payable to the Commission on or before January 1 and are considered delinquent March 1.¹ All regulated motor carriers must also comply with Commission Rule 006.01 and 006.02, which requires carriers to hold current motor carrier insurance with minimum amounts of coverage. A Form "E"- Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance must be filed with the Commission as proof of liability insurance.²

AAA has not had current insurance or vehicles on file with the Commission for some time. AAA has also not paid its annual fees. Attempts were made to contact AAA several times prior to the entry of the March 15 Order to Show Cause. AAA was sent a copy of the March 15, 2016, Order, which was returned undeliverable. Commission staff also made several attempts to contact AAA by phone, without success. Finally, AAA did not appear at the April 19, 2016, hearing to show cause as to why its certificate of public convenience and necessity should not be revoked.

In consideration of the evidence presented, the Commission finds that AAA Quality Movers has violated NEB. REV. STAT. § 75-305(3) for failure to file its annual fees pursuant to § 75-305(1), and Commission Rules 006.01, 006.02, and 006.03 for failure to maintain and file liability insurance coverage for its vehicles with the Commission. Based on these violations and the recommendation of Commission staff, the Commission further finds that the authority granted to AAA Quality Movers in Application No. M-14124 should be revoked.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Certificate of Public Convenience and Necessity granted to AAA Quality Movers, Omaha, in Application No. M-14124 be, and is hereby, revoked.

IT IS FURTHER ORDERED that the carrier revoked herein shall cease and desist providing service in the State of Nebraska as of the effective date of this Order. Any vehicle plates which have been assigned by the Commission must be returned to the Commission within ten (10) days of the effective date of this Order.

¹ Neb. Rev. Stat. § 75-305(3) (Supp. 2015).

² Title 291, NAC Ch. 3, 006.03 and 006.03A (Dec. 2003).

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 10th day of May, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

David L. Uy

Crystal Lucades

Paul Jensen

//s//Frank E. Landis
//s//Tim Schram

Tim Schram

Chairman

ATTEST:

Jeff L. Puley

Executive Director