

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Robert R. Logsdon, Director, Transportation Department, Nebraska Public Service Commission,)	MOTOR CARRIER COMPLAINT
)	MCC-3143
)	
Complainant,)	
)	
vs.)	DISMISSED IN PART
)	SUSTAINED IN PART
)	
Cornhusker Coaches Corporation)	
1st Class Limousine)	
Kiddie Cab)	
Luxury Limousine Service)	
Omaha Community Transportation Co.)	
Prince & Princess Limousine Service)	
RT Round Trip Transport)	
Sandhills Limos, Inc.)	
Southwest Coaches, Inc.)	
Star Limousine, Inc.)	
Apartment Movers of Omaha)	
Quality Movers Express of Neb., Inc.)	
Howard Transfer)	
The Movers)	
)	
Defendants.)	ENTERED: APRIL 6, 1999

APPEARANCES: Mike Loeffler, Esq.
Public Service Commission
1200 N Street, Suite 300
Lincoln, Nebraska

BY THE COMMISSION:

The complainant in the matter in caption filed a motor carrier complaint and Order to Show Cause against the defendants alleging a willful failure to pay the statutorily required annual fee for each vehicle operated by an intrastate motor carrier, under Neb. Rev. Stat., Section 75-305 (Reissue 1996). By January 1 of each year, regulated carriers are required to pay the Commission an annual fee for each motor vehicle operated. Fees not received by March 1 are considered delinquent. Defendants were given the option of having the complaint and Order to Show Cause dismissed by paying the annual fees for each motor vehicle operated in 1999 as required. Notice of the complaint and hearing were sent by certified mail to the defendants. A hearing was held on the complaint on March 30, 1999, in the Commission Hearing Room. No defendant made an appearance at the hearing.

OPINION AND FINDINGS

Being fully advised in the premises, the Commission is of the opinion and finds:

The defendants are regulated motor carriers whose operations fall under the jurisdiction of the Commission and who have been issued a Certificate of Public Convenience and Necessity by the Commission.

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As part of its regulatory authority and pursuant to Section 75-305, and Title 291, Chapter 3, Rule 004 et. seq. of the Nebraska Public Service Commission Motor Carriers Rules and Regulations concerning the obligation of defendants to pay annual fees, the Commission requires regulated motor carriers to pay the Commission an annual fee for each motor vehicle operated by January 1 of each year. The defendants were notified of such requirement by first class mail on November 1, 1998.

The following defendants have adequately complied with the provisions of Neb. Rev. Stat., Section 75-305 (Reissue 1996) and Title 291, Chapter 3, Rule 004 et. seq. of the Nebraska Public Service Commission Motor Carriers Rules and Regulations concerning the obligation of defendants to pay annual fees. Therefore, the following defendants should be dismissed from this complaint:

Prince & Princess Limousine Service
Sandhills Limos, Inc.
Star Limousine, Inc.
Apartment Movers of Omaha
Quality Movers Express of Neb., Inc.
Howard Transfer

Furthermore, the following defendants requested revocation or suspension of their certificates prior to the hearing held in this matter and the Commission subsequently granted their requests for revocation or suspension. Therefore, the following defendants should be dismissed from this complaint:

Revocation

1st Class Limousine
Omaha Community Transportation Co.
Southwest Coaches, Inc.

Suspension

Kiddie Cab
RT Round Trip Transport

The remaining defendants willfully failed to comply with Neb. Rev. Stat., Section 75-305 (Reissue 1996) and Title 291, Chapter 3, Rule 004 et. seq. of the Nebraska Public Service Commission Motor Carriers Rules and Regulations concerning the obligation of defendants to pay annual fees, by not paying the annual fee per vehicle operated in 1999 as required. Accordingly, the Commission finds the certificates of public convenience and necessity issued to the following defendants should be revoked:

Cornhusker Coaches Corporation (B-1465)
Luxury Limousine Services (B-1435)
The Movers (M-14126)

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O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Motor Carrier Complaint No. 3143 be, and it is hereby, dismissed in part and sustained in part.

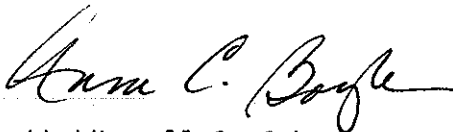
IT IS FURTHER ORDERED that Prince & Princess Limousine Service; Sandhills Limos, Inc.; Star Limousine, Inc.; Apartment Movers of Omaha; Quality Movers Express of Neb., Inc.; Howard Transfer; 1st Class Limousine; Omaha Community Transportation Co.; Southwest Coaches, Inc.; Kiddie Cab; and RT Round Trip Transport be, and they are hereby, dismissed from the complaint.

IT IS FURTHER ORDERED that the certificates of public convenience and necessity issued to Cornhusker Coaches Corporation (B-1465); Luxury Limousine Services (B-1435); and The Movers (M-14126) be, and they are hereby, revoked.

MADE AND ENTERED at Lincoln, Nebraska, this 6th day of April, 1999.



NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Lowell C. Johnson
//s//Rod Johnson
//s//Frank E. Landis
//s//Daniel G. Urwiller

ATTEST:


Chairman

Executive Director

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