

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Mark J. Breiner, Director, )  
Motor Transportation Department, )  
Nebraska Public Service )  
Commission, )  
Lincoln, Nebraska, )  
Complainant, )  
vs. )  
A-1 Limousine Services, LLC )  
BJ Tours, Inc. )  
Black Tie Limousine, Inc. )  
Central Limo Service )  
N.E. Lincoln Daycare )  
Nebraska Game & Parks Comm. )  
Omaha Limousine )  
RT Round Trip Transport )  
VIP Limobus LLC )  
VIP Limousine LLC )  
A-J Moving Services )  
Ford Storage & Moving Company )  
Hot Shot Deliveries, LLC )  
Lincoln Moving Services )  
Nebraskaland Moving & Storage )  
Pawnee Transfer and Storage )  
Shasteen Transfer and Storage )  
Shipper's Transportation, Inc. )  
Smitty's Van & Storage Co. )  
Transfer 88 )  
Respondents. )

MOTOR CARRIER COMPLAINT 3156  
DISMISSED IN PART  
SUSTAINED IN PART  
ENTERED: APRIL 12, 2005

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 2003). 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 2002 as required. Notice of the complaint and hearing was sent by certified mail to the defendants. A hearing was held on the complaint on April 5, 2005, in the Commission

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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.

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 required 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, 2004.

The following defendants have adequately complied with the provisions of Neb. Rev. Stat., section 75-305 (Reissue 2003) 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 complaint against the following defendants should be dismissed:

Black Tie Limousine, Inc.  
Central Limo Service  
A-1 Limousine Services, LLC  
Nebraska Game & Parks Commission  
Omaha Limousine  
VIP Limobus LLC  
VIP Limousine LLC  
Ford Storage and Moving Co.  
Hot Shot Deliveries LLC  
Nebraskaland Moving & Storage  
Transfer 88  
Pawnee Transfer and Storage  
Shasteen Transfer and Storage

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 complaint against the following defendants should be dismissed:

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A-J Moving Services  
BJ Tours, Inc.  
Lincoln Moving Services  
Shipper's Transportation, Inc.

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Motor Carrier Complaint No. MCC-3156 be, and it is hereby, dismissed in part and sustained in part.

IT IS FURTHER ORDERED that the complaint against A-1 Limousine Services, LLC, BJ Tours, Inc., Black Tie Limousine, Central Limo Services, Nebraska Game & Parks Commission, VIP Limobus, VIP Limousine LLC, A-J Moving, Ford Storage and Moving Co., Hot Shot Deliveries LLC, Lincoln Moving Services, Nebraskaland Moving, Pawnee Transfer, Inc., Shasteen Transfer & Storage, Shipper's Transportation, Inc., be and is hereby dismissed, and the complaint against N.E. Lincoln Daycare, RT Round Trip Transport, and Smitty's Van & Storage, be and is hereby sustained, and their certificates are revoked.

MADE AND ENTERED at Lincoln, Nebraska, this 12<sup>th</sup> day of April, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Louise Johnson*  
*Ann C. Bayle*  
*[Signature]*

Chairman

*Gerald L. Vap*

ATTEST:

*A. S. Pollak*  
Executive Director

//s// Gerald L. Vap

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing ORDER TO SHOW CAUSE was sent by registered mail to the defendants on the 1<sup>st</sup> day of March, 2005.

*Mark Breiner*

Mark Breiner

EXHIBIT A

A-1 Limousine Services, LLC  
BJ Tours, Inc.  
Black Tie Limousine, Inc.  
Central Limo Service  
N.E. Lincoln Daycare  
Nebraska Game & Parks Commission  
Omaha Limousine  
RT Round Trip Transport  
VIP Limobus LLC  
VIP Limousine LLC  
A-J Moving Services  
Ford Storage & Moving Co.  
Hot Shot Deliveries LLC  
Lincoln Moving Services  
Nebraskaland Moving & Storage  
Pawnee Transfer and Storage  
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