

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Mark J. Breiner, Director,)	MOTOR CARRIER COMPLAINT 3159
Motor Transportation Department,)	
Nebraska Public Service)	
Commission,)	DISMISSED
Lincoln, Nebraska,)	
)	
Complainant,)	
)	
vs.)	ENTERED: APRIL 3, 2007
)	
A-1 Limousine Services, LLC)	
A-1 Transportation, LLC)	
Prince & Princess Limo. Service)	
Top Star Services, LLC)	
Choice Medical Transportation)	
Miracle Movers)	
Nebraskaland Moving & Storage)	
Transfer 88)	
)	
Respondents.)	

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 2007 as required. Notice of the complaint and hearing was sent by certified mail to the defendants.

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 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, 2006.

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:

Miracle Movers
Nebraskaland Moving & Storage
Choice Medical Transportation
Prince & Princess Limousine Service
Transfer 88
A-1 Limousine Services, LLC
A-1 Transportation, LLC

Furthermore, the following defendant(s), Certificate(s) were revoked by other action of the Commission. Therefore, the complaint against the following defendant(s) should be dismissed:

Top Star Services, LLC

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Motor Carrier Complaint No. MCC-3159 be, and it is hereby, dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of April, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

James T. Up
Anne C. Boyle
Tim Skram

ATTEST:

Chairman

R. Johnson
Ad S. Johnson
Executive Director

//s// Rod Johnson

//s// Frank E. Landis