

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska
Public Service Commission Motor
Transportation Department,
regarding delinquent annual fee
payments.

Application No. MCC-3190

ORDER TO SHOW CAUSE AND
SET HEARING

Entered: March 15, 2016

BY THE COMMISSION:

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

The Motor Transportation Department (Department) of the Nebraska Public Service Commission (Commission), seeks to open the above-captioned docket regarding delinquent annual fee payments. NEB. REV. STAT. § 75-305(1) 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:

"Such fee shall be payable on whichever shall be the lesser of (a) the proportion of his or her fleet so registered or (b) the number of motor vehicles owned by him or her and actually used in intrajurisdiction business within the state..."1

Under § 75-305(3), such annual fees are due and payable to the Commission on or before January 1 and shall be delinquent March 1 of each year. According to the Department's records, the following carriers have not paid the appropriate annual fees in accordance with § 75-305:

Country Road Limousine, LLC
Elite Limo of Omaha, LLC
Leisure Bus Transportation
Playmakers Bar & Grill
Goodwill Medical Transportation
Bekin/Thornton Moving & Storage

Accordingly, the Commission finds that Respondents should be ordered to show cause as to why the Commission should not (1) revoke Respondents' Certificates of Public Convenience and Necessity, (2) order Respondents to cease and desist from offering services as motor carriers in Nebraska pursuant to NEB. REV. STAT. § 75-133, and (3) order that Respondents remit any such fines

1 NEB. REV. STAT. § 75-305(1) (Supp. 2015).

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authorized by law for failure to remit its annual fees in accordance with Neb. Rev. Stat. § 75-305.

The Commission further finds that a hearing on this matter should be scheduled on **April 5, 2016, at 2:00 p.m.** at the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that each Respondent is ordered to show cause as to why the Commission should not (1) revoke Respondents' Certificates of Public Convenience and Necessity, (2) order Respondents to cease and desist from offering services as motor carriers in Nebraska pursuant to NEB. REV. STAT. § 75-133, and (3) order that Respondents remit any such fines authorized by law for failure to remit its annual fees in accordance with Neb. Rev. Stat. § 75-305.

IT IS FURTHER ORDERED that hearing on this matter is scheduled for **April 5, 2016, at 2:00 p.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 15th day of March, 2016.




NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chairman

Attest:


Executive Director




//s//Frank B. Landis
//s//Tim Schram