

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Jamie L. Reyes, Director, Motor ) Docket No. MCC-3196.01  
Transportation Department, )  
Nebraska Public Service )  
Commission, Lincoln, Nebraska, )  
)  
Complainant )  
)  
v. )  
)  
Alpha Life Improvement )  
Services; Bus at the Yard d/b/a )  
Luxury Limousine; Caring Hearts )  
Transportation; Reliance )  
Medical Transportation LLC; ) ORDER TO DISMISS, IN PART  
Heartland Party Bus; Jason's )  
Limousine Service; Kelly )  
DeSive; National Health )  
Transport; Nebraska Taxi, LLC; )  
Ollie the Trolley; Tree City )  
Cab Company; Wings of Love; A & )  
A Landscaping; American Eagle )  
Van Lines, Inc.; Blair Moving; )  
Ford Storage & Moving Co.; )  
Middle West Movers; Nebraska )  
Transport Co., Inc.; and Smoldt )  
Moving & Storage, Inc., )  
)  
Respondents. ) Entered: April 23, 2019

BY THE COMMISSION:

On March 5, 2019, Jamie Reyes, Director of the Motor Transportation Department ("Complainant") filed a complaint against the above-captioned Respondents alleging violation of NEB. REV. STAT. § 75-305 (Cum. Supp. 2016). Complainant alleges that Respondents failed to timely file the annual fees as required by § 75-305 by March 1, 2018. Complainant seeks an order revoking Respondents' Certificates of Public Convenience and Necessity and to require Respondents to cease and desist from offering services as motor carriers pursuant to § 75-133, and/or to assess any such penalties authorized by law for failure to remit annual fees in compliance with § 75-305.

Subsequent to the Complaint, the following Respondent remitted the required annual fees to the Commission:

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Caring Hearts Transportation  
Wings of Love  
Kelly DeSive  
Reliance Medical Transportation, LLC  
Ollie the Trolley  
Tree City Cab Company  
Nebraska Transport Co., Inc.

Respondents have complied with § 75-305 by making the proper payment. As this was the first late renewal payment for these Respondents, they applied for and were granted a waiver of administrative penalties. As such, staff recommends that the above-named Respondents should be dismissed from the Complaint. Respondents are on notice that failure to remit future annual fee payments in a timely manner could result in administrative penalties and costs.

Additionally, the following Respondent has notified Commission staff that they are no longer in business:

Jason's Limousine Service

This Respondent has filed the appropriate paperwork to cancel their certificate. Such cancellation will be managed in a separate docket. Staff recommends dismissing Jason's Limousine Service from the Complaint.

Based on the above, the Commission finds that Caring Hearts Transportation; Wings of Love; Kelly DeSive; Reliance Medical Transportation, LLC; Ollie the Trolley; Tree City Cab Company; Nebraska Transport Co., Inc.; and Jason's Limousine Service should be dismissed from the Complaint.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Caring Hearts Transportation; Wings of Love; Kelly DeSive; Reliance Medical Transportation, LLC; Ollie the Trolley; Tree City Cab Company; Nebraska Transport Co., Inc.; and Jason's Limousine Service be, and are hereby, dismissed from the Complaint.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 23<sup>rd</sup> day of April, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Cystal Kwades*

*Paul Johnson*

*Donna Williams*

*Tim Schram*

*Mary Reddy*

Chair

Attest:

*Michael S. H. Sp*

Executive Director