

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the ) APPLICATION NO. MR-982  
Prescription of Reasonable )  
Rates and Charges for Motor ) GRANTED  
Carriers Passengers and )  
Property for Hire Subject to )  
the provisions of Neb. Rev. Stat. ) ENTERED: NOVEMBER 21, 2000  
(Reissue 1996), Chapter 75, )  
Articles 1 and 3. )

BY THE COMMISSION:

OPINION AND FINDINGS

On October 16, 2000, National Motor Freight Association, Inc., Alexandria, Virginia, agent for and on behalf of participating carriers, filed an application for authority to place in affect on Nebraska intrastate traffic the provisions of Supplement 7 to the National Motor Freight Classification Tariff, NMF 100-Z

Notice of the application was published in The Daily Record, Omaha, Nebraska, on October 23, 2000, pursuant to the Commission's rules. The application is unopposed.

In support of its application, the following statement is made:

"This supplement is issued to identify the carriers and others whose participation in the National Motor Freight Classification (NMFC) has been terminated. This notice is provided in accord with Title 49 U.S.C. Sec. 13703(g) (1) (B) of the Interstate Commerce Commission Termination Act of 1995 (ICCTA). Section 13703(g) (1) (B) makes it unlawful for any nonparticipant to use the commodity descriptions, ratings, rules, packaging, Uniform Bill of Lading or any other provisions within any issue of the NMFC - including use in contracts, interline tariffs, or for U.S. Government traffic.

Further, under ICCTA and the Surface Transportation Board's regulations, Sec. 13703(g) (1) (B), 40 C.F.R. Sec. 1312.4(d) and Sec. 1312.27(e), the rates of any nonparticipant that are determined or governed in any way by the NMFC are void, whether these rates are set forth in its own tariffs or schedules or in interline tariffs which the nonparticipant may seek to join."

Nebraska carriers cancelled by Supplement 7 are Ebel Transfer, Inc., (MC-1293) and Syracuse Transfer, Inc. (MC-98876). Both carriers have ceased less than truckload operations and are concentrating their efforts in the truckload sector. The National Motor Freight Classification is no longer used in determining rates and charges for truckload operations.

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Upon consideration of the application and being fully advised in the premises, the Commission is of the opinion and finds that the application should be granted effective October 28, 2000.



ORDER

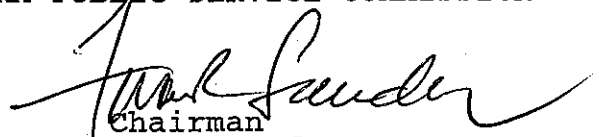
IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective October 28, 2000, National Motor Freight Traffic Association, Inc., Alexandria, Virginia, agent for and on behalf of participating carriers, be, and it is hereby, authorized to place in effect on Nebraska intrastate traffic the provisions of Supplement 7 to the National Motor Freight Classification Tariff, NMF 100-Z.

MADE AND ENTERED in Lincoln, Nebraska, this 21st day of November, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chairman

ATTESTS:

  
Executive Director

//s// Frank E. Landis