

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, ) APPLICATION NO. PI-129  
on its own motion, seeking to )  
conduct an investigation into ) ORDER OPENING DOCKET  
differential charges in the ) AND SCHEDULING WORKSHOP  
transportation of physically )  
and/or mentally impaired )  
passengers in intrastate )  
transportation. ) ENTERED: JULY 10, 2007

BY THE COMMISSION:

The Nebraska Public Service Commission has been contacted to investigate the legality of differential service charges by transportation providers in Nebraska. Certain transportation providers in the state of Nebraska have been charging, with the approval of the Commission, extra charges in the provision of transportation of physically and/or mentally impaired individuals, including wheelchair transportation.

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

The Commission finds that there are grounds to examine whether these charges are permissible under Federal laws regarding discrimination in transportation. The Commission also finds that, should the finding be that such charges are not allowable under applicable law, that the Commission and providers affected by this determination develop a methodology to adjust current rates and charges to bring them into compliance with said laws.

The Commission proposes to conduct a workshop on **August 1, 2007, beginning at 1:30 p.m.** in the Commission Hearing Room, Lincoln, Nebraska, to consider and discuss the issues mentioned above. **Any party interested in participating in the workshop should notify the Commission in writing on or before July 27, 2007, in order to participate in the workshop.**

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that an investigation be opened to examine transportation charge differentials regarding physically and/or mentally impaired charges. The investigation is to examine the propriety of such charges and to develop a methodology to adjust said charges if they are found to be impermissible under federal laws.

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IT IS FURTHER ORDERED, that a workshop is set for 1:30 p.m. (CT) on Wednesday, August 1 2007, in the Commission Hearing Room, 1200 "N" Street, Suite 300, Lincoln, Nebraska.

IT IS FURTHER ORDERED, that parties wishing to participate in this proceeding so indicate by filing a response to this Order, on or before July 25, 2007, in order to ensure that such parties may participate in the July 30 workshop. Such responses should be sent to the Commission's office at P.O. Box 94927, Lincoln, Nebraska 68509, Attention: Mark Breiner, Director of Transportation.

MADE AND ENTERED at Lincoln, Nebraska, this 10<sup>th</sup> day of July 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Guadalupe Z. Vega*

*Anna C. Boyle*

*Chris Schram*

//s// Frank E. Landis

*Adam Landis*  
Vice Chairman

ATTEST: *John Burdette*  
Deputy Director