

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Liberty) Application No. T-3
Mobility Now, Inc., Lincoln,)
seeking authority to operate as)
a transportation network) ORDER APPROVING APPLICATION
company in the State of)
Nebraska.) Entered: February 22, 2017

BY THE COMMISSION:

By its application filed December 30, 2016, Liberty Mobility Now, Inc. ("Liberty" or "Applicant"), Lincoln, is seeking authority to operate as a transportation network company (TNC) in Nebraska. Liberty is a corporation organized under the laws of the State of Nebraska, with its headquarters in Lincoln, Nebraska. Liberty has been authorized to transact business in Nebraska by the Nebraska Secretary of State.

Liberty seeks approval of a permit to operate as a TNC in Nebraska pursuant to the provisions of LB 629, which became law effective May 28, 2015. Under Neb. Rev. Stat. §75-324(2)(b), if an applicant is duly certified or permitted to operate as a TNC in at least one other state, the Commission shall issue a permit within sixty (60) days if an applicant meets all requirements under §75-323 to §75-343. Liberty is verified as having authority to operate in at least one other state; therefore, the Commission shall review Applicant's application for completeness.

FINDINGS AND OPINION

LB 629 granted the Commission regulatory authority over transportation network companies in Nebraska. Nebraska law requires that any application to obtain a permit to operate as a transportation network company must contain the following information:

- a) The legal name of the applicant;
- b) Any name under which the applicant will or does conduct business in Nebraska;
- c) The applicant's primary business address and telephone number;
- d) A copy of the articles of organization or certificate to transact business in Nebraska;

- e) The name, address, and telephone number of the applicant's registered agent in Nebraska; and
- f) A statement that the applicant agrees to adhere to the statutes of Nebraska and to the rules and regulations of the Commission regulating transportation network companies.¹

In addition to the application form, transportation network companies must also provide the following additional information to the Commission:

- a) A copy of its drug and alcohol policy upon adoption;
- b) A copy of its anti-discrimination policy upon adoption;
- c) A document stating the rates that the company uses to determine any compensation or suggested compensation through its online-enabled application or platform, including any use of dynamic pricing; and
- d) A copy of a certificate of transportation network company insurance which specifies that upon cancellation or nonrenewal of the insurance, the insurer must send written notice of cancellation or nonrenewal to the commission at least 30 days before the effective date of cancellation or nonrenewal.²

Applicant filed its application form with the Commission pursuant to the procedures approved under Docket TNC-1. In addition to its completed application form with notarized verification, Applicant filed the following documents with the Commission: the name and contact information of Applicant's registered agent in Nebraska; a certificate of liability insurance; a copy of Applicant's certificate of authority to transact business in Nebraska from the Secretary of State; its proposed rates; and a copy of Applicant's Drug and Alcohol and Anti-Discrimination policies.

Commission staff has reviewed the application and supporting documentation submitted by Applicant for completeness and recommends that the application be approved.

¹ Neb. Rev. Stat. § 75-324 (Supp. 2015).

² Laws 2015, LB 629, Effective May 28, 2015.

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Based on the above, the Commission finds that Applicant has demonstrated that it meets the requirements set by the Legislature in LB 629 and that the application should be approved.

Applicant and all participating drivers shall comply with all requirements under applicable Nebraska statutes and rules and regulations enacted by the Commission, including but not limited to compliance with insurance requirements, vehicle inspections, completing national criminal history record information checks, and lienholder notifications. Applicant and all participating drivers shall also comply with all requirements under applicable federal statutes and rules and regulations.

Applicant shall pay its annual fee to the Commission, payable on or before January 1. Such fees shall be considered delinquent on March 1 of each year after issuance of the permit.

Applicant's records are subject to audit on no more than a quarterly basis unless the Commission finds it necessary pursuant to rules and regulations of the Commission. Such audits will be completed in a mutually agreed-upon setting.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the application of Liberty Mobility Now, Inc., be, and is hereby, approved and Liberty Mobility Now, Inc., is hereby granted a permit to operate as a transportation network company in the State of Nebraska.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 22nd day of February, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Mary Riddler
Crystal Knodes

//s//Frank E. Landis
//s//Tim Schram

Tim Schram
Chairman

ATTEST:

Jeffery D. Lee
Executive Director