

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. TNC-2
on its own motion, seeking to)
determine the annual fee for) ORDER SETTING FEE
Transportation Network)
Companies.)
) Entered: November 23, 2015

BY THE COMMISSION:

On October 14, 2015, the Nebraska Public Service Commission (Commission) entered an order opening the above-captioned docket to determine the annual fee to be paid by Transportation Network Companies (TNCs) as required pursuant to Neb. Rev. Stat. § 75-305(2) and to set the matter for hearing. Notice of the proceeding was sent to all interested parties.

The Commission must hold an annual hearing to determine the annual amount per vehicle fee to be paid by TNCs in order to ensure that the amount collected does not exceed the amount actually necessary to sustain the administration and enforcement of laws, rules and regulations governing TNCs.¹ Section 75-305(2) requires TNCs to pay an annual fee of either twenty-five thousand dollars (\$25,000) or not to exceed eighty dollars (\$80) for each personal vehicle operated by a driver of the TNCs.

A hearing was held on November 18, 2015, in the Commission Hearing Room. Ms. Jamie Reyes appeared on behalf of Commission staff, and Mr. Ian Poirier appeared on behalf of Lyft, Inc. (Lyft).

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

Mark Breiner, Director of the Motor Vehicle Department, testified on behalf of Commission Staff. Mr. Breiner gave a brief history of the Commission's regulation of TNCs with the adoption of LB 629 in 2015 and an overview of the creation of the Transportation Network Company Regulation Cash Fund in June 2015 as required under Neb. Rev. Stat. § 75-331. Mr. Breiner stated that initial application fees for TNCs were set at the statutory levels of \$25,000 or \$80 per vehicle.

Additionally, Mr. Breiner testified that initial estimates of expenses and good faith allocations project that enforcement could cost the Department between \$35,000 and \$40,000 per year. Mr. Breiner stated that the Department's regulation of TNCs is too new to be certain of any actual costs, and that the Department does not anticipate a large excess in the cash fund

¹ Neb. Rev. Stat. § 75-305(2).

after one year of departmental enforcement activities. Mr. Breiner recommended that, due to the projected expenses, the annual fee per vehicle should remain at \$80 per vehicle.

Mr. Ian Poirier provided testimony on behalf of Lyft. Mr. Poirier testified that Lyft had no objection to the annual per-vehicle amount recommended by Mr. Breiner.

Based upon testimony provided by staff, the Commission finds that the annual per-vehicle fees for Transportation Network Companies should remain at eighty dollars (\$80) for each personal vehicle operated by a driver of the TNC. The Commission will monitor the fund balance and necessary expenditures and will reevaluate the fee amount annually.

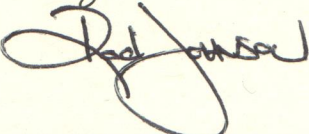
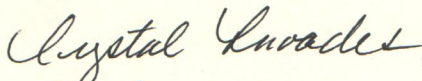
O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the annual fees for Transportation Network Companies should remain payable at either twenty-five thousand dollars (\$25,000) or eighty dollars (\$80) per personal vehicle operated by a driver of the TNC due and payable on or before January 1, 2016. Such fees shall be delinquent on March 1, 2016.

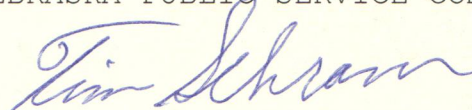
ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 23rd day of November, 2015.

NEBRASKA PUBLIC SERVICE COMMISSION

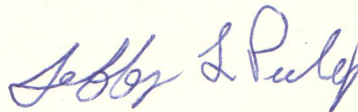
COMMISSIONERS CONCURRING:



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


Vice Chairman

ATTEST:



Executive Director