

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) APPLICATION NO. TR-161
Prescription of Reasonable)
Rates and Charges for Motor) GRANTED IN PART AND
Carriers Passengers and) DENIED IN PART ON AN
Property for Hire Subject to) EMERGENCY BASIS
The provision of Neb. Rev. Stat.)
(Reissue 2004), Chapter 75,)
Articles 1 and 3.) ENTERED: FEBRUARY 5, 2008

BY THE COMMISSION:

OPINION AND FINDINGS

On January 7, 2008, Fremont Cab Services, L.L.C., Fremont, Nebraska, filed an application for authority to amend its rates for its operations as follows:

Description	Current Rate	Proposed
Fuel Surcharge:		
\$2.80-2.89		\$0.60
\$2.90-2.99		\$0.65
\$3.00-3.09		\$0.70
\$3.10-3.19		\$0.75

The surcharge would increase at a rate of \$0.05 for every \$0.10 increase in fuel costs.

Additional passenger charge (over 18 years of age)	None	\$1.00
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Out-of-town rate (per mile)	\$1.45	\$1.55
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Emergency action is requested.

Applicant is a certificated common carrier which holds Certificate B-1402. The certificate authorizes the transportation of passengers and their baggage by taxicab within Fremont and points in the immediate area. Health and Human Services designation: Yes.

In support of the application, Lee Pospisil of Fremont Cab Services states that fuel charges have increased to the point where a change in the rate structure of the company is necessary. Prices in his area have increased to \$2.90

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION TR-161

PAGE 2

per gallon and more in the last few weeks. This increase in the cost of gasoline is having a negative effect on the Applicant's ability to provide service.

The Applicant took over operations of the cab company in Fremont in October of 2008. The last rate increase for the Fremont cab company was granted in June of 2005. This is the first rate application filed by the new ownership.

The Applicant has requested that the fuel surcharge as proposed be added to its rate structure, as well as the addition of a \$1.00 per passenger charge for additional passengers over the age of 18, and an increase in the per mileage charge for out-of-town trips from \$1.45 per mile to \$1.55 per mile, a seven percent increase.

The Commission is aware of the increase in fuel costs and the negative impact that these costs can have on the ability of an applicant to operate. The Commission finds in this Application that the fuel surcharge is reasonable and competitive with other surcharges granted for other certificate holders in the past. The Commission finds that the fuel surcharge should be granted on an emergency basis due to the high cost of gasoline as well as the recent acquisition of the authority by the current Applicant.

The Commission further finds, however, that an emergency does not exist and that more information needs to be received before any consideration be made regarding the increase in the mileage rate and the addition of a charge for additional passengers over the age of 18. The Commission therefore finds that those parts of the Application be denied on an emergency basis and that the Application be processed pursuant to regular procedures.

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 in part with the fuel surcharge starting February 8, 2008, and denied in the remainder.

ORDER

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that effective February 8, 2008, Fremont

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

APPLICATION NO. TR-161

PAGE 3

Cab Services, L.L.C., Kearney, Nebraska, be, and it is hereby, authorized to amend its rates for its use in Certificate No. B-1702 as follows:

Description	Rate
Fuel Surcharge:	
\$2.80-2.89	\$0.60
\$2.90-2.99	\$0.65
\$3.00-3.09	\$0.70
\$3.10-3.19	\$0.75

The surcharge would increase at a rate of \$0.05 for every \$0.10 increase in fuel costs.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that the fuel surcharge be paid to the individual or individuals paying for the fuel.

IT IS FURTHER ORDERED by the Nebraska Public Service that notice of this amendment to their rates be conspicuously displayed within each taxicab.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission the additional passenger charge and the increase in mileage rate be denied on an emergency basis and that these provisions be processed pursuant to standard Commission procedure.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that public notice of this action be published in the Daily Record, Omaha, Nebraska, pursuant to statute and Commission Rules.

MADE AND ENTERED at Lincoln, Nebraska this 5th day of February, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Frank E. Landis

Tim Schram

Tim Schram

//s// Anne C. Boyle
//s// Frank E. Landis

Chair

Anne C. Boyle

ATTEST:

Michelle J. H. H.
Executive Director