

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE) COMMISSION, ON ITS OWN MOTION,) SEEKING TO AMEND TITLE 291,) CHAPTER 3, MOTOR CARRIER RULES) AND REGULATIONS, TO REWRITE) THE CHAPTER IN ITS ENTIRETY)))))	RULE AND REGULATION NO. 182 COMMENTS
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COME NOW, Happy Cab Company, d/b/a Checker Cab Co., Happy Cab Co., and Yellow Cab Co.; Valor Transportation Company; and DonMark, Inc., d/b/a Cornhusker Cab Company (collectively “**Happy Cab**”), by and through their attorneys of record, Rembolt Ludtke, LLP and respectfully submit the following comments in response to the Third Set of Proposed Rules released by the Public Service Commission by Order entered August 5, 2014:

1. The definition of “taxicab” in proposed Rule 003.01E(2) does not allow of “defined regular routes.” While this language appears in existing regulation, it is problematic. Currently, more than a few Happy Cab repeat passengers choose regular routes of travel for various reasons. The rule should be modified to allow repeat passengers to choose preferred regular routes.

2. Proposed Rule 010.03A5 should be modified to prohibit drivers who have more than six (6) points assigned against their license from providing Department of Health and Human Services (“DHHS”) transportation. The current requirement of 3 points is far too restrictive and would prohibit safe drivers with relatively few minor infractions from providing transportation.

3. Rule 010.03C2 should be modified to exclude taxicabs from the requirement that DHHS transportation providers have child passenger restraint devices in each vehicle at all

times. Such requirement is neither necessary nor practical. The passenger should be responsible for his or her child's special safety needs.

4. Existing Rule 011.01D, which requires that taxicabs be four-door sedans unless the requirement is waived by the Commission, should be retained. There is no policy reason for its removal.

DATED: September 5, 2014

**HAPPY CAB COMPANY, D/B/A
CHECKER CAB CO., HAPPY CAB
CO. AND YELLOW CAB CO., VALOR
TRANSPORTATION COMPANY, AND
DONMARK, INC., D/B/A
CORNHUSTER CAB COMPANY,
Complainants,**

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Comments* was served upon the following by email and first-class United States mail, postage prepaid, on September 5, 2014:

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