



VAN & STORAGE, INC.

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June 24, 2011

Nebraska Public Service Commission
300 The Atrium
1200 N Street
Lincoln, NE 68509-4927

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MOTOR TRANSPORTATION
DEPARTMENT
Nebr. Public Service Commission

Re: Rule & Regulation #182

I believe that it is the best interest of all parties that Nebraska Public Service Commission adopts (or mirrors) the regulations of the Federal Motor Carrier Safety Administration for Rule & Regulation #182.

Therefore, I recommend that the Commission contact Capt. Krolikowski of the Nebraska State Patrol and Doug Donscheski of the Nebraska State Patrol on how best to incorporate the FMCSA regulations as referenced in Nebraska Revised State Statute §75-363.

Specific Recommendations:

For simplicity (if possible) I would create a specific rule section for Household Goods Motor Carriers.

003.01B – Move to new section and reference definition as outlined in FMCSA regulations.

003.03A – Move to new section and reference rules as outlined in FMCSA regulations.

004.05 – Move to new section and reference rules as outlined in FMCSA regulations.

Section 005 – Move to new section and reference rules and regulations in the FMCSA regulations.

007.01 – Remove. Financial information, in my opinion, is proprietary information. As there a number of intrastate household goods carriers with interstate authority there are revenues generated from services not regulated by the Commission. As such, the revenues generated by these non-regulated services should not be available to the Commission. Further the information provided in any type of report requested by the Commission would serve little statistical value, as it practically impossible to track the expenses specifically incurred by intrastate household goods moving services from expenses incurred by non-regulated services.

007.02 – This is acceptable; however, the Commission should enumerate *specifically* what information is required. The current wording is in essence providing a blank check to the Commission to continually request additional information regardless of the cost to the carrier.

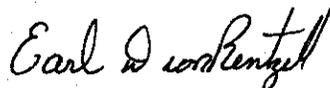
007.03 – Remove.

Section 009 – Recommend that you mirror the FMCSA rules regarding buses.

In conclusion, I applaud the Commission in seeking to review and reissue these rules and regulations as they have not kept up with current regulatory practices. Not being an expert in creating regulatory material, I would still try to simplify the rules to reflect (mirror) FMCSA regulations.

If possible; I would rethink the layout of the rules and simply *start from scratch* by eliminating the entire set of rules and issue an entirely new set with a new and simplified structure. It would make sense, in my opinion, that each type of service regulated by the Commission be given its own unique section in the rules. For example: 003 is for Taxi operations; 004 is for Limousine operations; 005 is for Household Goods Moving; and etc. Within each of these sections the specific rules in that section apply for that type of regulated service.

Sincerely,



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Notes:

Captain Gerry Krolikowski, Nebraska State Patrol, Carrier Enforcement Division, (402) 471-0105
Mr. Doug Donscheski, Nebraska State Patrol, Motor Carrier Safety Assistance Program Manager, (402) 471-0107
Electronic Code of Federal Regulations – <http://ecfr.gpoaccess.gov>

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