

**MONTANA PUBLIC SERVICE COMMISSION  
TRANSPORTATION/CENTRALIZED SERVICES DIVISION  
AGENDA NO. 09-07-28**

Date Published: July 23, 2009

For Work Week Commencing: July 27, 2009

Commission Meeting: July 28, 2009, 9:00 a.m.

General Introduction This agenda is the Commission's Transportation and Centralized Services Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this division agenda and subscribing to notice by mail may be made to Wayne Budt at (406) 444-6195. Mr. Budt may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. T-09.35.OTSC (Wayne)

On July 14, 2009 an Order to Show Cause was issued to Cary M. Sarles dba Park County Transportation, Livingston, Montana, PSC No. 9456, for failure to file liability insurance. The Order to Show Cause was sent

certified and received by Mr. Sarles on July 15, 2009. There as been no response.

Class B – Passengers between all points and places within a one hundred twenty-five (125) mile radius of Livingston, Montana. LIMITATIONS: 1) Service in the city limits of Livingston is prohibited. 2) Movements to or from Gallatin Field must originate or terminate in Park County, Montana. 3) Movements in Big Sky, Montana and a twenty-five (25) mile radius are prohibited. 4) Seating capacity will be no more than six (6) passengers per vehicle. 5) Services as a limousine are prohibited. 6) Movements to or from Bozeman, Montana must originate or terminate in Park County and require a one (1) week advance reservation. 7) Transportation to or from Billings, Montana must originate or terminate at Logan International Airport and a three (3) mile radius thereof.

**STAFF RECOMMENDATION:** Cancel PSC No. 9456 for failure to maintain required liability insurance.

ACTION:

2. T-09.31.OTSC (Wayne)

On July 14, 2009 an Order to Show Cause was issued to Kenneth A. Vander Ven dba Lewistown Transfer & Storage Company, Lewistown, Montana, PSC No. 1122, for failure to file a 2008 Annual Report. The Order to Show Cause was sent certified and received by Mr. Vander Ven on July 15, 2009. There as been no response.

SUB A Class C - Property in the City of Lewistown, Montana, and to or from points immediately tributary thereto, but within a distance not exceeding ten (10) miles in any direction from said city. Limitations: The transportation of property between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB B Class C - Property within the City of Lewistown, Montana, and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said city. Limitations: Transportation of property between points served by rail carriers is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

**STAFF RECOMMENDATION:** Cancel PSC No. 1122 for failure to file a 2008 Annual Report.

ACTION:

3. TN2446 (Wayne)

Big Sky Transfer & Storage, Inc., Great Falls, Montana requests permission to lease PSC No. 2406 to Mergenthaler Transfer and Storage Co., Inc., Helena, Montana for a six month period, July 28, 2009 to January 28, 2010.

Class C - General merchandise within the City of Glendive, Montana and to or from points tributary thereto, but within a distance not exceeding five miles in any direction of said city. Limitation: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB A Class B - Household goods (as defined by Commission) to and from all points and places within the State of Montana.

SUB B Class C - Property within the City of Great Falls, Montana and points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said city. Limitations: The transportation of property between points served by rail carriers or between points served by a motor carrier operating between fixed termini or over a regular route is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

**STAFF RECOMMENDATION:** Approve the lease of PSC No. 2406 as requested.

ACTION:

4. Approval of Commission Minutes (Wayne)

Approval of the Commission Minutes for the week of July 20, 2009.

ACTION: