

Service Date: June 28, 2001

FINAL ORDER NO. 6504

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF **Charles R. Morgan dba**)
Anaconda Taxi, Anaconda, Montana, Application) Docket No. T-01.9.PCN
for a Montana Intrastate Certificate of Public)
Convenience and Necessity.) Order No. 6504
)

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On April 12, 2001, **Charles R. Morgan dba Anaconda Taxi**, Anaconda, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B – Passengers within the city of Anaconda, Montana and points and places within a fifty (50) mile radius thereof.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public May 3, 2001. That notice said in pertinent part:

If no written protests are received by May 24, 2001, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

Docket No. T-01.9.PCN Order No. 65041

3. Protests were filed by Tucker Transportation, Inc., Butte, Montana and Albert L. Guay III dba Sunset Limousine Service, Butte, Montana.

4. All protests were withdrawn after the Applicant restrictively amended the application. The amendments are incorporated into the Order granting authority herein.

7. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on Monday, the 11th day of June, 2001 there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-01.9.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Charles R. Morgan dba Anaconda Taxi**, Anaconda, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B – Passengers within Anaconda, Montana and points and places within a fifty (50) mile radius thereof. LIMITATIONS: 1) Transportation as a limousine or bus is prohibited. 2) Transportation of passengers originating within the city limits of Butte, Montana is prohibited.

Docket No. T-01.9.PCN Order No. 65042

IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

Docket No. T-01.9.PCN Order No. 65043

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 11th day of June, 2001 by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Final Order issued in Docket T-01.9.PCN in the matter of **Charles R. Morgan dba Anaconda Taxi**, Anaconda, Montana has today been sent to all parties listed.

MAILING DATE: June 28, 2001

FOR THE COMMISSION

FIRST CLASS MAIL

Charles R. Morgan
dba Anaconda Taxi
212 East Park 3-E
Anaconda, MT 59711

Tucker Transportation, Inc.
445 Centennial
Butte, MT 59701

Albert L. Guay III
dba Sunset Limousine Service
PO Box 4411
Butte, MT 59701

AS ITS INTERESTS MAY APPEAR:

Montana Consumer Counsel
616 Helena Avenue
P.O. Box 201703
Helena, MT 59620-1703