

Service Date: August 25, 1986

FINAL ORDER NO. 5737

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	DOCKET NO. T-8902
James T. & Gayle L. Hanson, Twin)	
Bridges, Montana)	ORDER NO. 5737
for a Certificate of Public Conven-)	
ience and Necessity.)	

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

FINDINGS OF FACT

1. On March 28, 1986, James T. & Gayle L. Hanson, 234 Tuke Lane, Twin Bridges, Montana 59754, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing the transportation of general commodities (except Class A & B explosives, commodities in bulk in tank trucks, and household goods as defined by the Commission), Class B, between Butte, Whitehall, Twin Bridges, Sheridan, Laurin, Alder, Virginia City, Ennis, Cameron, Norris, Harrison, Jefferson Island, Montana Talc Plant and Sappington Junction serving all intermediate points and off-route points of Beaverhead Mine (near Alder), Yellowstone Mine (South of Ennis), Jeffers, Pony and Golden Sunlight Mines (N.E. of Whitehall) via Interstate 90, U.S. Highway 10, State Highways 55, 41, 287 & 359.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public May 6, 1986. That notice said in pertinent part:

If no written protests are received by May 26, 1986, 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.

3. Protests were filed by Big Horn Transportation Company, Billings, Montana and Bill's Mobile Home Transport, Billings, Montana. The protests were withdrawn by the applicant restrictively amending the application to prohibit the transportation of mobile homes, buildings and buildings in sections with and without accessories and contents, and further limiting the application to prohibit transportation of shipments in excess of 6,000 pounds.

4. The record of this application is available for inspection at the Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620.

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 2701 Prospect Avenue, Helena, Montana, on the 25th day of August, 1986, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-8902, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of JAMES T. & GAYLE L. HANSON, Twin Bridges, Montana for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent: Class B: General commodities

(except Class A & B explosives, commodities in bulk in tank trucks, and household goods as defined by the Commission) between Butte, Whitehall, Twin Bridges, Sheridan, Laurin, Alder, Virginia City, Ennis, Cameron, Norris, Harrison, Jefferson Island, Montana Talc Plant and Sappington junction serving all intermediate points and off-route points of Beaverhead Mine (near Alder), Yellowstone Mine (south of Ennis), Jeffers, Pony and Golden Sunlight Mines (N.E. of Whitehall) via Interstate 90, U.S. Highway 10, State Highways 55, 41, 287 & 359. Limitations: 1) The transportation of mobile homes, buildings and buildings in sections with and without accessories and contents is prohibited. 2) The transportation of shipments in excess of 6,000 pounds is prohibited.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

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 25th day of August, 1986, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

CLYDE JARVIS, Chairman

JOHN B. DRISCOLL, Commissioner

HOWARD L. ELLIS, Commissioner

TOM MONAHAN, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Trenna Scoffield
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.