

Service Date: November 17, 1993

FIFINAL ORDER NO. 6266

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF LANETTE WALKER DBA)
LA COURIER, Bozeman, Montana,)
application for a Montana Intrastate) Docket T-93.45.PCN
Certificate of Public Convenience and)
Necessity.) Order No. 6266

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 16, 1993, Lanette Walker dba La Courier, P.O. Box 6455, Bozeman, Montna 59771-6455 filed an application with the Montana Public Service Commission under Title 69, MCA, to delete certain limitations from Certificate of Public Convenience and Necessity PSC No. 8045. Specifically Applicant proposed to delete limitations requiring shipments to originate or terminate in Gallatin County; prohibiting transportation between retail businesses and financial institutions; and restricting transportation of banking and daily receipts to movements originating and terminating in Gallatin County.

PSC 8045 currently authorizes the Class B transportation of legal papers and documents, correspondence, mail, packages, title reports, blue prints, government documents, travel tickets, postage meter, banking and daily receipts, general delivery of miscellaneous business and personal use items and foods, medical

laboratory specimens and supplies between all points and palces within Gallatin, Park, Madison, Silver Bow and Lewis and Clark Counties with limitations.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public on April 7, 1993. Protests were filed by Security Armored Express, Inc., Helena, Montana and Roger W. Staley dba Capital Delivery Service, Sheridan, Montana.

3. Notice of Public Hearing was issued May 27, 1993. Prior to the hearing, applicant restrictively amended the application agreeing that transportation within Lewis and Clark County must originate or terminate within Gallatin, Park, Silver Bow or Madison Counties. The protest by Roger W. Staley was withdrawn.

A hearing was held June 23, 1993 in the meeting room of the Bozeman Public Library, Bozeman, Montana. Applicant and protestant Security Armored Express, Inc. appeared and testified at the hearing.

4. Subsequent to the hearing, parties notified the Commission that they were involved in negotiating a stipulation in Docket T-93.45.PCN. The signed stipulation was submitted to the Commission on October 18, 1993. The stipulation is acceptable to the Commission and incorporated into the Order granting authority herein.

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 partial 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 the 25th day of October, 1993, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-93.45.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Lanette Walker dba La Courier, Bozeman, Montana, for a Certificate of Public Convenience and Necessity is granted in part. A certificate will be issued authorizing the following:

Class B - Legal papers and documents, correspondence, packages, title reports, blue prints, government documents, travel tickets, postage meter, miscellaneous business and personal use items and foods, medical laboratory specimens and supplies (1) between points and places within Park, Madison, and Silver Bow Counties; (2) between points within Park, Madison, and Silver Bow Counties on the one hand and points within Lewis and Clark County on the other.

Limitations: 1. Transportation of the following is prohibited: Money, mail, drugs, blood, flowers, audit and accounting media; data processing media and business records; processed and unprocessed film and microfilm and incidental supplies relating to snapshots and microfilm; non-negotiable securities; non-negotiable bank checks and valuable papers.

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.

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 October, 1993, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
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.