



4. Notice of public hearing was issued February 28, 1995, with hearing scheduled for March 23, 1995, in Butte, Montana. That hearing was vacated at the request of the Applicant.

5. Karst Stage, Inc., on March 8, 1995, filed a request for late filed protest to the application. The Commission on March 4, 1995, denied that request.

6. Notice of hearing was again issued April 7, 1995, with hearing date of May 5, 1995, in Butte, Montana. Prior to that hearing, applicant restrictively amended the application and all protests to the docket were withdrawn. The hearing was vacated. The stipulations are incorporated into the Order granting authority herein.

7. Pursuant to the stipulation, Applicant submitted additional written affidavits supporting shipper need for the proposed service area. The Commission deems those affidavits sufficient proof of public need for the area of service granted herein.

8. 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 the 9th day of June, 1995, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-94.100.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of McGree Corporation, Butte, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

**Class B** - Persons and baggage by charter between points in Silver Bow County on the one hand and points and places in Montana on the other.

**Limitations:** 1. Transportation of passengers from Butte, Montana to Helena, Montana and points within a ten (10) miles thereof is prohibited. 2. Transportation of passengers from points in Lewis and Clark County, Montana to points in Silver Bow County, Montana is prohibited. 3. Transportation of passengers which both originates and terminates within a radius of fifty-five (55) miles of Butte, Montana is prohibited. 4. Transportation of passengers in limousine service between points in Silver Bow County on the one hand and points in Ravalli, Deer Lodge, Powell, Granite, Beaverhead, and Cascade Counties on the other hand is prohibited.

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 12th day of June, 1995, by a vote of 4 - 0.

**BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.**

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**NANCY McCAFFREE, Chair**

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**BOB ANDERSON, Commissioner**

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**DANNY OBERG, Commissioner**

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**BOB ROWE, 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.