

Service Date: June 16, 1994

FINAL ORDER NO. 6312
DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF **Schelko, Inc.**)
dba A-Limo Limousine Co., Billings,)
Montana, the application for a) Docket No. T-4.11.PCN
Montana Intrastate Certificate) Order No. 6312
of Public Convenience 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 February 15, 1994, Schelko, Inc. dba A-Limo Limousine Co., 339 Wicks Lane, Billings, Montana 59105, filed an application with the Montana Public Service Commission under Title 69, MCA, to amend PSC No. 8943 which authorizes the following:

Class B - Passengers by limousine between all points and places in Yellowstone County.
Limitations: (1) Transportation is restricted to passenger vehicles having a capacity not to exceed twelve (12) passengers. (2) Transportation is limited to limousine (luxury automobile) service only. (3) Transportation as a bus, jitney or taxi is prohibited. (4) Service is restricted to that provided by reservations made at least one (1) hour in advance.

Applicant proposes to amend PSC No. 8943 as follows:

Class B - Passengers by limousine between all points and places in **Big Horn, Carbon, Stillwater, Sweetgrass** and Yellowstone Counties.
Limitations: (1) Transportation is restricted to passenger

vehicles having a capacity not to exceed twelve (12) passengers. (2) Transportation is limited to limousine (luxury automobile) service only. (3) Transportation as a bus, jitney or taxi is prohibited. (4) Service is restricted to that provided by reservations made at least one (1) hour in advance.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public March 7, 1994. That notice said in pertinent part:

If no written protests are received by March 27, 1994, 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 Dan Kautz dba V.I.P. Limousine, Billings, Montana; Ron and Debbie Kindsfather dba Limo Scene Limousine Service, Billings, Montana; and 4x4 Stage, Inc., Belgrade, Montana.

4. Notice of Public Hearing was issued May 3, 1994, with hearing scheduled for Wednesday, May 25, 1994, in Billings, Montana. Prior to that hearing, Applicant notified the Commission that protests were being withdrawn. The hearing was vacated at the request of the applicant.

5. Subsequently, all protests to the docket were formally withdrawn.

6. 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 13th day of June, 1994, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-94.11.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Schelko, Inc. dba A-Limo Limousine Co., Billings, Montana**, to amend Certificate of Public Convenience and Necessity PSC No. 8943 IS GRANTED to the following extent:

Class B - Passengers by limousine between all points and places in **Big Horn, Carbon, Stillwater, Sweetgrass** and Yellowstone Counties.

Limitations: (1) Transportation is restricted to passenger vehicles having a capacity not to exceed twelve (12) passengers. (2) Transportation is limited to limousine (luxury automobile) service only. (3) Transportation as a bus, jitney or taxi is prohibited. (4) Service is restricted to that provided by reservations made at least one (1)

hour in advance.

IT IS FURTHER ORDERED that Montana Intrastate Certificate of Public Convenience and Necessity, PSC 8943, issued October 7, 1993, be returned to the Commission offices for cancellation in lieu of the amended authority granted herein.

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 13th day of June, 1994, 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.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Findings of Fact issued in Docket No. T-
T94.11.PCN in the matter of Schelko, Inc. dba A-Limo Limousine Co., (Billings,
Montana) has today been sent to all parties listed.

MAILING DATE: June 16, 1994

FOR THE COMMISSION

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