

FINAL ORDER NO. 6344

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

IN THE MATTER OF 4 x 4 Stage, Inc., )  
Belgrade, Montana, the application ) Docket No. T-94.24.PCN  
for a Montana Intrastate Certificate ) Order No. 6344  
of Public Convenience and Necessity. )

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

FINDINGS OF FACT

1. On March 25, 1994, , 4 x 4 Stage, Inc., 1765 Alaska Road South, Belgrade, MT 59714 filed an application with the Montana Public Service Commission to amend Montana Intrastate Certificate of Public Convenience and Necessity, PSC 9105, which authorizes the following transportation:

Class B - Passengers between all points and places in Gallatin, Park, Madison, Sweet Grass, Broadwater, Meagher, Beaverhead, Stillwater, Jefferson and Carbon Counties.  
Limitations: 1. Transportation is limited to six passengers or less. 2. Transportation or solicitation of employees of Montana Rail Link, Inc. or Burlington Northern Railroad Company is prohibited. 3. Transportation of passengers between points in Park, Gallatin and Madison Counties is further limited to movements between points between those counties on the one hand and Gallatin Field, Belgrade Montana on the other. 4. Transportation of passengers to or from Bozeman, Montana is prohibited.

Applicant proposes to remove the limitations from the certificate.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public April 6, 1994. The application included affidavits of support.

3. Protests were filed by Karst Stage, Inc., Bozeman, Montana; Ron and Debbie Kindsfather dba Limo Scene Limousine Service, Billings, Montana; John and Carma Sinerius dba Just An Experience, Virginia City, Montana; City Taxi, Inc., Bozeman, Montana; and Mary Belle Harper dba V.I.P. Taxi Service,

Livingston, Montana.

4. Notice of Public Hearing was issued July 5, 1994, with hearing scheduled for August 4, 1994, in Bozeman, Montana. That hearing was vacated by Commission action on July 26, 1994, also directing Applicant to respond to Protestant Karst Stage, Inc.'s First Interrogatories.

5. Notice of Hearing was again issued August 22, 1994, with hearing scheduled for September 29, 1994, in Bozeman, Montana. Prior to the hearing, Applicant restrictively amended the application and all protestants except City Taxi, Inc. withdrew their objections to the application. The hearing was held.

6. On October 18, 1994, Applicant and Protestant City Taxi, Inc. filed a stipulation with the Commission agreeing to a limited grant of authority. The stipulations 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 the 24th day of October, 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-94.24.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of 4 x 4 Stage, Inc., 1765 Alaska Road South, Belgrade, MT 59714 , Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - Passengers between all points and places in Gallatin, Park, Madison, Sweet Grass, Broadwater, Meagher, Beaverhead, Stillwater, Jefferson and Carbon Counties.

Limitations: Limitations: 1. Transportation is limited to fifteen (15) passengers or less per

vehicle. 2. Transportation of passengers between points and places within the city of

Bozeman, Montana, and a five (5) mile radius thereof is prohibited. 3. Transportation of

passengers between points and places within the city of Livingston, Montana, is prohibited.

4. Transportation of passengers between points and places within the City of Bozeman, on

the one hand, and Gallatin Field at or near Belgrade, Montana, on the other hand, is

prohibited. 5. Transportation of passengers between points and places within the City of

Bozeman, on the one hand, and the Bridger Bowl Ski facility, on the other hand, is prohibited.

IT IS FURTHER ORDERED that Montana Intrastate Certificate of Public Convenience and Necessity, PSC 9105, be returned to the Commission for cancellation in lieu of the amended grant of authority.

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 24th day of October,

**Docket No. T-94.24.PCN Order No. 6344**



1994, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCaffree, Commissioner

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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.