

FINAL ORDER NO. 6333

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

IN THE MATTER OF Anthony Dale Hill )  
dba Tony's Mobile Home Service, )  
Kalispell, Montana, application for a ) Docket No. T-94.55.PCN  
Montana Intrastate Certificate of Public ) Order No. 6333  
Convenience and Necessity. )

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

FINDINGS OF FACT

1. On May 25, 1994, Anthony Dale Hill dba Tony's Mobile Home Service, 528 Birch Grove Road, Kalispell, MT 59901, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B - House trailers (in tow-away service), equipped with accessories and contents (owners' furniture, fixtures, and personal property); sections of buildings (designed to be transported in tow-away service), to be joined with same or similar buildings and sections of buildings on site, between all points and places in the following counties: Flathead, Lincoln, Lake, Glacier, and Sanders.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public June 8, 1994. That notice said in pertinent part:

If no written protests are received by June 28, 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. All protests filed have been withdrawn.

4. 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 26th day of September, 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-94.55.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Anthony Dale Hill dba Tony's Mobile Home Service, Kalispell, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - House trailers (in tow-away service), equipped with accessories and contents (owner' furniture, fixtures, and personal property); premanufactured sections of buildings (designed to be transported in tow-away service), to be joined with same or similar buildings and sections of buildings on site, between all points and places in the following counties: Flathead, Lincoln, Lake, Glacier, and Sanders.

Limitations: Transportation of buildings not premanufactured, such as built ons, add on additions, or sections of buildings not premanufactured 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 26th day of September, 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.