

FINAL ORDER NO. 6341

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

IN THE MATTER OF Mike and Monica M.)
Maloney dba M & M Trucking, Sheridan,)
Montana, application for a Montana) Docket No. T-94.88.PCN
Intrastate Certificate of Public) Order No. 6341
Convenience and Necessity.)

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

FINDINGS OF FACT

1. On August 17, 1994, Mike and Monica M. Maloney dba M & M Trucking, Box 333, Sheridan, MT 59749, 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 C - House logs, building materials and logging equipment between all points and places within the State of Montana.
Limitations: Transportation is limited to that provided for the account of Goodman House Logs, Twin Bridges, Montana only.

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

If no written protests are received by September 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. No protests or responses of any kind were received.

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 17th 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-94.88.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Mike and Monica M. Maloney dba M & M Trucking, Sheridan, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class C - House logs, building materials and logging equipment between all points and places within the State of Montana. Limitations: Transportation is limited to that provided for the account of Goodman House Logs, Twin Bridges, Montana only.

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 17th day of October, 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.