

Service Date: May 25, 1995

FINAL ORDER NO. 6366

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

IN THE MATTER OF Valet Limousine, Inc.,)
Missoula, Montana, application for a) Docket No. T-95.10.PCN
Montana Intrastate Certificate of Public) Order No. 6366
Convenience and Necessity.)

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

FINDINGS OF FACT

1. On February 24, 1995, Valet Limousine, Inc., 3820 South 3rd West, Missoula, Montana 59801, 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 - Passengers in limousine service from points in Missoula County to all points and places in Ravalli County.

Limitations: Transportation is limited to a maximum of six passengers per vehicle.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public March, 7 1995. That notice said in pertinent part:

If no written protests are received by March 27, 1995, 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 Victor I. Pizzola dba Valley Taxi, Hamilton, Montana, Pixley Transportation, Inc., Upton, Wyoming, and Debbie and Duane Bartlett dba Camelot Limousine Service, Missoula, Montanan.

4. On April 20, 1995, Pixley Transportation withdrew its protest to the application. On May 6, 1995, Valley Taxi withdrew their protest.

5. On April 26, 1995, Applicant filed a Motion to Dismiss the Protests to the docket. In conjunction with that motion, Applicant amended the scope of proposed authority to exclude transportation which originated at the Missoula County Airport. On May 2, 1995, the Commission granted Applicant's Motion to Dismiss the Protest of Camelot Limousine Service.

6. The Commission notes that Camelot Limousine Service, in their response to the Motion to Dismiss, suggested that limitations be added to the scope of authority as follows: "(1) No new people can enter in car in Ravalli County or, all the people must all originate in Missoula County; and (2) Exemptions: proms and other school dances, graduations, weddings, anniversaries, bachelor and bachlorett [sic] parties, birthdays, and retirements". The suggested Limitation No. (1) is unnecessary since the scope of Applicant's proposed authority allows the transportation of passengers only from points in Missoula County to points in Ravalli County. Transportation of passengers from points in Ravalli County to points in Missoula County is not within the scope of this application. The Commission declines to attach Camelot's proposed Limitation No. (2) to the grant of authority.

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 work 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 2nd day of May, 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-95.10.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Valet Limousine, Inc., Missoula, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - Passengers in limousine service from points in Missoula County to all points and places in Ravalli County. Limitations: 1) Transportation is limited to a maximum of six passengers per vehicle. 2) Transportation which originates at the Missoula County Airport 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 2nd day of May, 1995, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

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.