

FINAL ORDER NO. 6389

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

IN THE MATTER OF David Ray Wheeler)
dba Classy Cabs, Columbia Falls, Montana)
Application for a Montana Intrastate) Docket No. T-95.50.PCN
Certificate of Public Convenience and) Order No. 6389
Necessity.)

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

FINDINGS OF FACT

1. On, August 15, 1995, David Ray Wheeler dba Classy Cabs, 100 St. Andrews Drive, Columbia Falls, MT 59912, 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 within the city of Columbia Falls, Montana and a fifty (50) mile radius thereof.

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

If no written protests are received by September 26, 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 Robert B. and Emma C. Chada dba Port Polson Taxi Service, Polson, Montana; James E. Michael dba Kalispell Taxi Service, Kalispell, Montana; Randall Eugene Johnson dba Flathead Glacier Transport, Whitefish, Montana; and Valet Limousine, Inc., Missoula, Montana.

4. Notice of Public Hearing was issued October 11, 1995, with hearing scheduled for Friday, November 3, 1995, in Columbia Falls, Montana. The hearing was continued at the request of the applicant.

5. On November 1, 1995, Applicant restrictively amended the application. All protests were subsequently withdrawn. The amendments are incorporated into the order granting authority 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 16th day of January, 1996, 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.