

FINAL ORDER NO. 6384

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

In the matter of Robert B. and Emma C. Chada        )  
dba Port Polson Taxi Service, Polson, Montana,        )  
Application for a Montana Intrastate Certificate        )  
of Public Convenience and Necessity.                 )  
Docket T-95.52.PCN  
Order # 6384

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

FINDINGS OF FACT

1. On August 29, 1995, Robert B. and Emma C. Chada dba Port Polson Taxi Service, 10676 Turtle Lake Road, Polson, MT 59860, filed an application with the Montana Public Service Commission under Title 69, MCA, to amend Montana Intrastate Certificate of Public Convenience and Necessity PSC No. 9218 by deleting Limitation No. 3:

Class B - Persons within the City of Polson, Montana and between points and places within a seventy (70) mile radius thereof.

Limitations: 1) Transportation in limousine service is prohibited. 2) Transportation must originate or terminate in Lake County. 3) Transportation as a Medicaid provider is prohibited. 4) Carrier is prohibited from picking up passengers in Flathead County. 5) Transportation is limited to ten (10) passengers or less.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public October 3, 1995. That notice said in pertinent part:

If no written protests are received by , 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, PO 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 6th day of November, 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-95.52.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Robert B. and Emma C. Chada dba Port Polson Taxi Service, Polson, Montana to amend their current Montana Intrastate Certificate of Public Convenience and Necessity PSC No. 9218 by deleting Limitation No. 3 IS GRANTED and the Certificate will be reissued as follows:

Class B - Persons within the City of Polson, Montana and between points and places within a seventy (70) mile radius thereof.

Limitations: 1) Transportation in limousine service is prohibited. 2)

Transportation must originate or terminate in Lake County. 3) Carrier is prohibited from picking up passengers in Flathead County. 4) Transportation is limited to ten (10) passengers or less.

IT IS FURTHER ORDERED that PSC No. 9218, issued May 10, 1995, be returned to the Commission offices for cancellation.

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 6th day of November, 1995, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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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.