Service Date: October 17, 1996

CANCELLATION ORDER NO. 6404b

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

IN THE MATTER of the cancellation and termination of intrastate authority granted to Robert and Jamie Lindburg, Bigfork, Montana, by Order No. 6404a for failure to complete compliance requirements.	)))))	Docket No. T-95.76.PCN Order No. 6404b

CANCELLATION ORDER

WHEREAS, on May 20, 1996, the Montana Public Service Commission granted Montana intrastate operating authority to Robert and Jamie Lindburg, Bigfork, Montana, by Final Order No.6404a issued in Docket T-95.76.PCN, pursuant to Title 69, Chapter 12, MCA.

WHEREAS, Section 69-12-401, MCA, provides that all regulated motor carriers must comply with state law as provided in Chapter 12, and Section 69-12-402, MCA, provides that all regulated motor carriers must comply with the Commission's administrative rules promulgated to implement the statutory provisions of Chapter 12, and Title 69, Chapter 12, MCA, contains the compliance requirements for regulated motor carriers.

WHEREAS, Title 38, Chapter 3, Subchapters 1 through 12, 15 19 through 21, 24 through 30, 33 and 34, ARM, constitute duly promulgated administrative rules providing for the requirements by which to administer and implement the provisions of Title 69, Chapter 12, MCA, and

WHEREAS, Robert and Jamie Lindburg, Bigfork, Montana have not completed compliance requirements after being granted a Certificate of Public Convenience and Necessity, specifically due to the failure to file evidence of liability insurance or file a tariff of rules, rates, regulations and charges with the Montana Public Service Commission.

The Montana Public Service Commission issued an Order to Show Cause pursuant to Section 69-12-327, MCA, and ARM 38.3.120, sent by certified mail and received by the carrier on September 23, 1996, requiring the carrier to show cause within ten (10) days after receipt of the Order, why the Public Service Commission should not cancel and terminate intrastate authority granted in Docket T-95.76.PCN, Final Order No.6404a.

NOW, THEREFORE, IT IS ORDERED THAT Montana intrastate operating authority granted to Robert and Jamie Lindburg, Bigfork, Montana by Final Order No. 6404a issued in Docket T-95.76.PCN is hereby cancelled and terminated pursuant to Section 69-12-327, MCA, and ARM 38.3.120 for the failure of this carrier to complete required compliance by filing evidence of liability insurance or file a tariff of rules, rates, regulations and charges with the Montana Public Service Commission. All rights and privileges granted under and by virtue of Final Order No. 6404a are hereby cancelled and terminated.

IT IS FURTHER ORDERED that a copy of this Order be sent by certified mail to the above-named carrier.

DONE IN OPEN SESSION on the 7th day of October, 1996, at Helena, Montana 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:

Kathleen 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.