

FINAL ORDER NO. 6427

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

IN THE MATTER OF **Snowy Mountain**)
Charters, Inc., Lewistown, Montana,)
application for a Montana Intrastate) Docket No. T-97.3.PCN
Certificate of Public Convenience and) Order No. 6427
Necessity.)

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

FINDINGS OF FACT

1. On January 14, 1997, **Snowy Mountain Charters, Inc.**, P.O. Box 390, Lewistown, MT 59457, 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 charter service (1) between all points and places in the State of Montana. Transportation must originate and terminate in Fergus, Judith Basin, Petroleum, or Wheatland Counties. (2) between points in Fergus County and the Billings Regional Airport.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public January 28, 1997. That notice said in pertinent part:

If no written protests are received by February 18, 1997, 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 Ron and Debbie Kindsfather dba Limo Scene Limousine Service, Billings, Montana and Ron and Debbie Kindsfather dba Billings Trolley Co., Billings, Montana.

4. Ron and Debbie Kindsfather dba Limo Scene Limousine Service, Billings, Montana withdrew their protest on February 19, 1997; Ron and Debbie Kindsfather dba Billings Trolley Co., Billings, Montana withdrew their protest on February 20, 1997.

5. 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 24th, day of February, 1997, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-97.3.PCN and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Snowy Mountain Charters, Inc.**, Lewistown , Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - Passengers in charter service (1) between all points and places in the State of Montana. Transportation must originate and terminate in Fergus, Judith Basin, Petroleum, or Wheatland Counties. (2) between points in Fergus County and the Billings Regional Airport.

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 24th day of February, 1997, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

DAVE FISHER, Chairman

NANCY McCaffree, 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.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Final Order issued in Docket T-97.3.PCN in the matter of Snowy Mountain Charters, Inc. (Lewistown, Monana) has today been sent to all parties listed.

MAILING DATE: February 25, 1997

FOR THE COMMISSION

FIRST CLASS MAIL

Snowy Mountain Charters, Inc.
P.O. Box 390
Lewistown, MT 59457

Ron and Debbie Kindsfather
dba Billings Trolley Co.
1509 Rosebud Lane
Billings, MT 59101

Ron and Debbie Kindsfather
dba Limo Scene Limousine Service
1509 Rosebud Lane
Billings, MT 59101

AS ITS INTERESTS MAY APPEAR:

Montana Consumer Counsel
34 West Sixth Avenue
P.O. Box 201703
Helena, MT 59620-1703