

Service Date: November 17,1998

FINAL ORDER NO. 6454

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

IN THE MATTER OF Tomm Furcht dba) Docket No. T-98.25.PCN
Classic Airport Limousine, Missoula,)
Montana, Application for a Montana) Order No. 6454
Intrastate Certificate of Public)
Convenience and Necessity.)

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

FINDINGS OF FACT

1. On 24,1998, Tomm Furcht dba Classic Airport Limousine, Missoula, Montana, 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:

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public August 4, 1998. That notice said in pertinent part:

If no written protests are received by August 24, 1998, 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 Beach Transportation Company, Missoula, Montana; Valet Limousine, Inc., Missoula, Montana; Jones Brothers Trucking, Inc. dba Executive Limousine Service, Missoula, Montana; Victor I. Pizzola

dba Valley Taxi, Hamilton, Montana; and Duane & Debbie Bartlett dba Camelot Limousine Service, Missoula, Montana. The protest of Beach Transportation Company was withdrawn on August 18, 1998.

4. Notice of Public Hearing was issued October 1, 1998, with hearing scheduled for November 2, 1998, in Missoula, Montana. Applicant and protestants appeared at the hearing

5. All protests were withdrawn after the Applicant restrictively amended the application. The amendments are incorporated into the Order granting authority herein.

6. 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 Monday, the 16th day of November, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-98.25.PCN, and the Commission being fully advised in the premises;

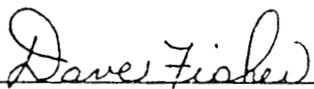
IT IS ORDERED by the Commission that the application of Tomm Furcht dba Classic Airport Sedans, Missoula, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - Passengers between all points and places within a thirty-five (35) mile radius of Missoula, Montana. LIMITATIONS: 1) All transportation movements must originate or terminate at a recognized airport facility. 2) Transportation movements in Ravalli County are prohibited. 3) Transportation movements will be charged on a per person fare. 4) Transportation of more than six (6) passengers per vehicle is prohibited. 5) Transportation in limousine service is prohibited. 6) Transportation services utilizing a "stretch limousine" are prohibited. 7) Use of the words "Limousine" or "Limo" in the name of the business is prohibited.

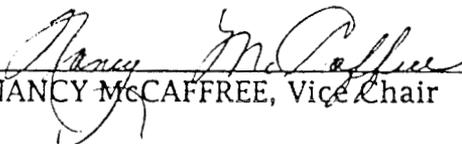
IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

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 16th day of November, 1998, by a vote of 4-0.

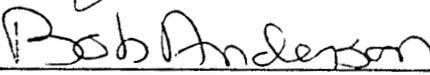
BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.



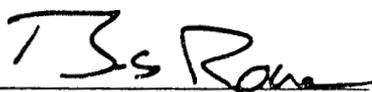
DAVE FISHER, Chairman



NANCY McCAFFREE, Vice Chair



BOB ANDERSON, 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.