

**LINE-BY-LINE INSTRUCTIONS FOR
APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE & NECESSITY (PC&N)**

- 1a. Only an applicant whose business structure is that of a Sole Proprietor should fill out this line.
- 1b. An applicant that is not a Sole Proprietor must enter the exact name of the applicant's legal entity (applies to LLCs, Corporations, General Partnerships, etc.).
- 1c. An applicant who will conduct motor carrier operations under a d/b/a name ("doing business as") must enter the d/b/a name here.
2. An applicant must enter address and other contact information in this section.
3. Is the applicant filing as a sole proprietor, partnership, or corporation? Check the applicable box. Names of partners must be entered on the appropriate line if the applicant is a partnership. If the applicant is a corporation, the corporate officers must be listed.
4. Has the Applicant previously held a Certificate of Public Convenience or Necessity (PC&N) from the Montana Public Service Commission? If so, enter the number.
5. Enter the letter designation of the type of motor carrier authority you are seeking. A PC&N Certificate is required to be obtained for: intrastate transportation of household goods or a combination of transportation of household goods and passengers (both under Class B); certain transportation pursuant to contract (Class C); and intrastate transportation of solid waste (Class D).

6. What does the applicant intend to transport? Check the appropriate box.

Montana law defines Class C and Class D carriers. The basic distinctions are as follows:

Class C – Contract carriers for goods or merchandise; maximum of six contracts at any one time, minimum of 180-day term per contract; rates negotiated between carrier and shipper.

Class D – Transporters of garbage, as defined at § 69-12-321, MCA. **Recyclables and oilfield wastes are not regulated by the PSC.**

7. Where does the applicant intend to transport? Suggested language:

"within the city of _____ and a _____ mile radius thereof"

"between all points and places within _____ County(s)"

"between all points and places within the State of Montana"

"from points in _____ County(s) to all points in Montana", etc.

Add any desired limitations to the area. (Example: origination or destination points, size of vehicles, specific shippers, etc.)

Areas of service must be supported by affidavits from shippers (those who arrange for and/or pay for the transportation). If the applicant seeks service in multiple counties, actual shipper affidavits must support the proposed service area.

8. Indicate on the map the areas of your proposed motor carrier operations.

9. Applications for Class C authority must be accompanied by an executed contract or contracts between applicant and shippers.

The contract must include, but is not limited to, the following:

- a. The names and addresses of any person, corporation, or other legal entity that is a party to the contract.
 - b. A description of the transportation movement contemplated by the contract.
 - c. A description of the commodities to be moved under the contract and/or a statement that the contract is for the transportation of persons.
 - d. The term of the contract (not less than 180 days and commencing no earlier than the date of issuance of operating authority from the PSC).
 - e. The rates and charges negotiated between the motor carrier and the shipper for the proposed transportation services.
10. Why is the applicant filing for authority? Describe the conditions that exist which constitute public need for the new permit.
11. List the equipment you will use to provide the service. If you intend to lease equipment or purchase equipment at a later date, please indicate the equipment intended for operations.
12. Applicant must complete the financial balance sheet because one of the criteria for a PC&N certificate is a demonstration of financial fitness.

Confirm that you will comply with Montana law by checking the appropriate box.

13. The filing of the application does not constitute operating authority.
14. Enclose the \$500 application fee, which is the same no matter how many counties applied for. **Please be aware that the applicant will be billed by the PSC for the cost of publication of the Notice of Application in the legal section of newspapers in the area of the application. If the application does not go to public hearing, \$300 of the application fee will be refunded. Applicant must provide Tax ID Number or Social Security Number at the time of application.**
15. The PSC may grant, deny, or amend the application based on the record.

Be sure to sign the application and that your signature is notarized. Affidavits from supporting shippers must accompany the application.