



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE August 8, 2013 GENERAL MEETING

AGENDA

1. Call to Order

Chairman Andrew J. MacKay called the meeting to order at approximately 9:35 a.m.

2. Roll Call

Present in Las Vegas: Commissioner Monica B Metz, Commissioner George Assad, Administrative Attorney James Day, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Lidia Aronova, Senior Deputy Attorney General David Newton. Present in Reno: Chairman Andrew J. MacKay, Deputy Commissioner Marilyn Skibinski

3. Pledge of Allegiance

Senior Deputy Attorney General David Newton led a recital of the pledge.

4. Public Comment:

Administrative Attorney James Day stated he was in receipt of a written public comment regarding Item 92 (see attached.)

5. Approval of Agenda

Administrative Attorney Day requested that items 28, 48, 53, 77, 88, 90 and 94 be removed from the Agenda and that Item 54 be considered separately from the remaining citations and impoundments. Approved with the changes proposed, 3-0.

6. Approval of the Minutes of the July 2, 2013 Agenda Meeting

Approved 3-0

7. Briefings from the Commissioners

Chairman MacKay stated the Governor is holding his second annual Conference on Small Business, and the Authority has a tentative date of Tuesday, August 27, 2013 for workshops for rulemaking, the first regarding general passenger information, the second regarding drivers permitting bill SB210. Additionally, Chairman MacKay thanked Enforcement Staff for all the work done over the past month. Chairman MacKay also congratulated Senior Deputy Attorney General Newton on his son earning a roster spot with the University of Nevada football team. Good-natured debate ensued regarding the relative merits of the University of Nevada and UNLV.

8. Briefing from the Deputy Commissioner

Deputy Commissioner Skibinski updated the progress of SB210 implementation, indicating the August meeting would be to approve fees and related use of the funding generated from the fees.

9. Report of Legal Counsel

Senior Deputy Attorney General Newton reported that in the Pink Jeep Tours Petition for Judicial Review the NTA decision was upheld, and in the Handicab matter, the TaxiCab Authority and the NTA decision was also upheld. Senior Deputy Attorney General Newton reported stipulated facts were due August 19, 2013 in the Fairman matter.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10-70, with the exception of Items 21, 28, 48 and 53 and 54 were considered collectively and Approved 3-0

- 10. Citation 14157** issued to Michael Lloyd Jones for violations of NRS 706.386 and NRS 706.758. (AJM)
- 11. Citation 16182** issued to Danny Armstrong for violations of NRS 706.386 and NRS 706.758. (AJM)
- 12. Citation 16200** issued to Kazi Kader for a violation of NAC 706 as amended by LCB File No. R127-07. (AJM)
- 13. Citation 16279** issued to Glenn Robards for violations of NRS 706.386 and NRS 706.758. (AJM)
- 14. Citation 16282** issued to Khanh Nguyen/La Dolce Vita for violations of NRS 706.386 and NRS 706.758. (AJM)
- 15. Citation 16379** issued to Donald Acey for violations of NRS 706.386 and NRS 706.758. (AJM)
- 16. Citation 16403** issued to Reno Sparks Cab for a violation of NRS 706.285. (AJM)
- 17. Citation 16406** issued to Carson City Towing, Inc. for a violation of NAC 706.442. (AJM)
- 18. Citations 16408 and 16409** issued to City Auto Towing for violations of NAC 706.247 (2 counts). (AJM)
- 19. Citation 16412** issued to Nevada Movers for a violation of NRS 706.285. (AJM)
- 20. Citation 16558** issued to Eduardo Franco for a violation of NAC 706.247/49 CFR 391.41. (AJM)
- 21. Citation 16559** issued to Hugo Oropeza for violations of NRS 706.758. (AJM)
Mr. Oropeza was present. Financial Analyst Yvonne Shelton acted as interpreter and relayed Mr. Oropeza has disconnected the telephone number in question. Approved 3-0
- 22. Impound 2014** The impoundment pursuant to NRS 706.476 of a vehicle registered to John Diaz. (AJM)

23. **Impound 1506** The impoundment pursuant to NRS 706.476 of a vehicle registered to Gregory Miller/Lake Tahoe Taxi. (AJM)
24. **Impound 2103** The impoundment pursuant to NRS 706.476 of a vehicle registered to Hertz Vehicles, LLC. (AJM)
25. **Impound 1505 and Citation 16292** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16292 issued to Amir Zahir for violations of NRS 706.386 and NRS 706.758. (AJM)
26. **Impound 1974 and Citation 16286** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16286 issued to Roy-Seveco Maaghop for violations of NRS 706.386 and NRS 706.758. (AJM)
27. **Impound 2012 and Citation 16391** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16391 issued to John Robert Diaz for violations of NRS 706.386 and NRS 706.758. (AJM)
28. **Impound 1507 and Citation 16297** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16297 issued to Hazel Guy/Lakeshore Taxi for violations of NRS 706.386 and NRS 706.758. (AJM)
- Removed from Agenda prior to consideration.*
29. **Impound 2119 and Citation 16386** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16386 issued to Johann Vela for violations of NRS 706.386 and NRS 706.758. (AJM)
30. **Impound 2162 and Citation 16583** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16583 issued to Loyd Jones for violations of NRS 706.386 and NRS 706.758. (AJM)
31. **Citation 15672** issued to CLS Transportation Las Vegas for violations of NAC 706.247/49 CFR 391.23 and NRS 706.398. (MBM)
32. **Citation 16330** issued to Eric Lyons, Jr. for a violation of NAC 706 as amended by LCB File No. R127-07. (MBM)
33. **Citation 16357** issued to Joseph Carrero for violations of NRS 706.386 and NRS 706.758. (MBM)
34. **Citation 16383** issued to Ricardo Espinosa for violations of NRS 706.386 and NRS 706.758. (MBM)
35. **Citation 16384** issued to Robert Leavell for violations of NRS 706.386 and NRS 706.758. (MBM)
36. **Citation 16388** issued to Kenneth Ray Baldwin for violations of NAC 706.228(4) and NAC 706.228(5). (MBM)
37. **Impound 2163 and Citation 16392** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16392 issued to Bobby Rojas for violations of NRS 706.386 and NRS 706.758. (MBM)

- 38. Citation 16358** issued to Vanessa Chantal Acosta for violations of NRS 706.386 and NRS 706.758. (GA)
- 39. Citation 16565** issued to Todd Cooks for violations of NRS 706.386 and NRS 706.758. (GA)
- 40. Citation 16334** issued to Sogho Karen Soghomonian for a violation of NAC 706.228(3). (GA)
- 41. Citation TA8-00024380** issued to David Aynalem Wasihun for a violation of NAC 706.329. (GA)
- 42. Citation 16378** issued to Patrick Tyll for a violation of NRS 706.386. (GA)
- 43. Citation 16329** issued to Robert Edward Noel for violations of NRS 706.386 and NRS 706.758. (GA)
- 44. Impound 2044** The impoundment pursuant to NRS 706.476 of a vehicle registered to Todd Cooks. (GA)
- 45. Impound 2104** The impoundment pursuant to NRS 706.476 of a vehicle registered to Tony Dominguez. (GA)
- 46. Impound 2114** The impoundment pursuant to NRS 706.476 of a vehicle registered to Ashley Henderson. (GA)
- 47. Impound 2118** The impoundment pursuant to NRS 706.476 of a vehicle registered to United Van Rentals. (GA)
- 48. Impound 2008 and Citation 16107** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16107 issued to Aria Ariano for violations of NRS 706.386 and NRS 706.758. (GA)
- Removed from Agenda prior to consideration.*
- 49. Impounds 2028 and 2089 and Citation 16381** The impoundment pursuant to NRS 706.476 of vehicles registered to and Citation 16381 issued to Maria Valencia for violations of NRS 706.386 and NRS 706.758. (GA)
- 50. Impound 2091 and Citation 16328** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16328 issued to Jason Christopher Ward for violations of NRS 706.386 and NRS 706.758. (GA)
- 51. Impound 2102 and Citation 16382** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16382 issued to Joel Martinez-Palafox for violations of NRS 706.386 and NRS 706.758. (GA)
- 52. Impound 2115 and Citation 16564** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16564 issued to Brandon Holmes for violations of NRS 706.386 and NRS 706.758. (GA)

- 53. Impound 2117 and Citation 16566** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16566 issued to Justin Acosta for violations of NRS 706.386 and NRS 706.758. (GA)
Removed from Agenda prior to consideration.
- 54. Citation 14838** issued to Paul Alston for violations of NRS 706.386 and NRS 706.758.
Settlement Agreement rejected and matter ordered reset for hearing by a vote of 3-0.
- 55. Citation 16201** issued to Liben Kumesa for a violation of NAC 706.228.
- 56. Citation 16228** issued to Cosmo, Inc. for a violation of NRS 706.463(3).
- 57. Citation 16229** issued to DM Executive Services, Inc. for a violation of NRS 706.463(3).
- 58. Citation 16280** issued to Jim Giese for a violation of NAC 706 as amended by LCB File No. R127-07.
- 59. Citation 16302** issued to Fernando A. Meraz for violations of NAC 706.228 (2 counts) and NAC 706 as amended by LCB File No. R127-07(1).
- 60. Citation 16326 and 16327** issued to Jeremy Lamb for violations of NAC 706.228, NAC 706 as amended by LCB File No. R127-07(1) and NAC 706.329.
- 61. Citation 16331** issued to Jose Gomez for a violation of NAC 706.228.3.
- 62. Citation 16332** issued to Michael Jackson for violations of NAC 706.228 and NAC 706 as amended by LCB File No. R127-07(1).
- 63. Citation 16333** issued to Jose Luis Contreras-Espinosa for violations of NAC 706.228(3) (2 counts) and NAC 706 as amended by LCB File No. R127-07(1).
- 64. Citation 16352** issued to Smitty Movers for violations of NAC 706.206 and NAC 706.203.
- 65. Citation 16356** issued to The Tow Truck Co. Inc. for violation of NAC 706 as amended by LCB File No. R075-08(3).
- 66. Citation 16359** issued to Royalty Limos for violations of NRS 706.465 (20 counts).
- 67. Citation 16385** issued to Brian Foster for violations of NRS 706.386 and NRS 706.758.
- 68. Citation 16390** issued to Nabil Mezher for violations of NAC 706.228 and NAC 706 as amended by LCB File No. R127-07.
- 69. Citation 16402** issued to Anderson Towing and Transport for a violation of NRS 706.285.
- 70. Citation 16554** issued to Tow Guys, Inc. for violations of NAC 706 as amended by LCB File No. R112-10 (2 counts).

**APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE TOW CAR SERVICE**

71. Docket 12-10008 The Application of Esteban's Corporation d/b/a The Shop Towing for an expansion of authority to provide non-consent tow car service by tow car vehicle within the State of Nevada under Certificate of Public Convenience and Necessity (hereinafter "CPCN") 7107, Sub 2. Staff investigation concluded. (GA)

Applications Manager Liz Babcock summarized the application and indicated Staff support. Approved 3-0

72. Docket 13-04016 The Application of Debra Collins for authority by Daniel Collins, deceased, to transfer and by Debra Collins to acquire 95% of Vegas Heavy Haul, Inc. d/b/a Big Valley Towing, a carrier authorized to provide tow car service by tow car vehicle within the State of Nevada under CPCN 7238, Sub 1. Staff investigation concluded. (MBM)

Applications Manager Liz Babcock summarized the application and indicated Staff support. Owner Debra Collins was present and thanked staff for the time to accomplish the transfer. Approved 3-0

73. Docket 13-04027 The Application of Alpine Auto Recovery, LLC for a CPCN to provide tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded. (MBM)

Don Heald was present on behalf of the Applicant along with legal counsel Brent Carson, Esquire. Mr. Carson and Mr. Heald thanked the Authority and Staff. Applications Manager Liz Babcock summarized the application and indicated Staff support, noting that a northern Nevada carrier with a similar name initially filed but later withdrew a protest based on the similarity of the names. Approved 3-0.

**APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE CHARTER BUS SERVICE**

74. Docket 13-04026 The Joint Application of Optimum Equipment Group, LLC d/b/a Berus Armored Transport for authority to sell and transfer and of Uthiopia, LLC d/b/a 702 VIP Transportation to purchase and acquire the authority to provide charter bus service within the State of Nevada under CPCN 2151. Staff investigation concluded.

Brent Carson, Esquire appeared on behalf of the Applicant and indicated a fictitious firm name would be added to Compliance. Applications Manager Liz Babcock summarized the application and indicated Staff support. Approved with addition of compliance item to submit new d/b/a Winner Transportation. Approved as modified 3-0

75. Docket 13-07037 The temporary discontinuance from August 5, 2013 through February 4, 2014 of services provided by Buffalo Tuff, Inc. d/b/a Nevada Party Bus under CPCN 2146. Staff investigation concluded.

Applications Manager Liz Babcock summarized the application and indicated the Sale and Transfer is on file with Authority. Temporary Discontinuance from August 8, 2013 to February 4, 2014 Approved 3-0

VOLUNTARY CANCELLATION

76. Docket 13-07038 The voluntary cancellation of Martin Ross & Associates, LLC of Contract Carrier Permit MV 6151. Staff investigation concluded.

Chairman MacKay summarized the request. Approved 3-0

PETITION FOR RECONSIDERATION

77. Docket 12-05021 The Application of Feth Investments, LLC d/b/a NTI Transportation for a CPCN to provide charter bus service within the State of Nevada. Applicant Feth Investments, LLC d/b/a NTI Transportation petitions for reconsideration of the Authority's May 30, 2013 final Order in the matter. (AJM)

Removed from Agenda prior to consideration.

FINANCIAL RATES AND TARIFFS

78. Docket 13-06021 The Application of Airline Limousine Corporation, d/b/a Airline Shuttle Corp for approval of a tariff rate modification for charter limousine, airport transfer, and special service conducted under CPCN 2050, Sub 4. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized and indicated staff support. John Marushok, Operations Manager, Frias Corporation was present on behalf of the Applicant. Approved 3-0

79. Docket 13-06022 The Application of Las Vegas Limousines, A Nevada Corporation for approval of tariff rate modifications for charter limousine and airport transfer service conducted under CPCN 2258, Sub 5. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized and indicated staff support. Approved 3-0

80. Docket 13-07006 The Application of Las Vegas Limousines, A Nevada Corporation for approval of tariff rate modifications for charter limousine and airport transfer service conducted under CPCN 2258, Sub 5. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized and indicated staff support. John Marushok, Operations Manager, Frias Corporation thanked staff for their support as they have updated their tariffs. Approved 3-0

81. Docket 13-07008 The Application of Bell Trans, a Nevada Corporation d/b/a Bell Trans for approval of tariff rate modifications for charter limousine and special service conducted under CPCN 1023, Sub 2, tariff 1-A. Staff investigation concluded.

Financial Analyst Lidia Aronova summarized and indicated staff support. Jeffrey Silver, Esquire appeared on behalf of the Applicant. Approved 3-0

82. Docket 13-07009 The Application of Bell Trans, a Nevada Corporation d/b/a Bell Limousine for approval of tariff rate modifications for charter limousine and special service conducted under CPCN 1023, Sub 2, tariff 2-A. Staff investigation concluded.

Financial Analyst Lidia Aronova summarized and indicated staff support. Jeffrey Silver, Esquire appeared on behalf of the Applicant. Approved 3-0

83. Docket 13-07011 The Application of Presidential Limousine, Inc. for approval of a tariff rate modification for charter limousine and special service conducted under CPCN 1007, Sub 4. Staff investigation concluded.

Financial Analyst Lidia Aronova summarized and indicated staff support. Jeffrey Silver, Esquire appeared on behalf of the Applicant. Approved 3-0

84. Docket 13-07012 The Application of On Demand Sedan Services, Inc. d/b/a AAA ODS Limousine, ODS Limousine, ODS Chauffeured Transportation, On Demand Sedan & Limousine for approval of tariff rate modifications for charter limousine, airport transfer, and special service conducted under CPCN 1040, Sub 3. Staff investigation concluded.

Financial Analyst Lidia Aronova summarized and indicated staff support. Brent Carson, Esquire appeared on behalf of the Applicant and asked if the Applicant could notify the Authority when the software changes for the associated charges would go into effect. Approved as modified 3-0

85. Docket 13-07013 The Application of On Demand Sedan Services, Inc. d/b/a AAA ODS Limousine, ODS Limousine, ODS Chauffeured Transportation, On Demand Sedan & Limousine for approval of tariff rate modifications for charter limousine, airport transfer, and special service conducted under CPCN 2063, Sub 1. Staff investigation concluded.

Financial Analyst Lidia Aronova summarized and indicated staff support. Approved 3-0

86. Docket 13-07014 The Application of Desert Cab, Inc. d/b/a Odyssey Limousine for approval of a tariff rate modification for charter limousine service conducted under CPCN 1075, Sub 1. Staff investigation concluded.

Financial Analyst Lidia Aronova summarized and indicated staff support. Approved 3-0

87. Docket 13-07017 The Application of Abraham Limo Service, Inc. d/b/a ALV for approval of a tariff rate modification for charter limousine service conducted under CPCN 1104, Sub 1. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized and indicated staff support. Approved 3-0

88. Docket 13-07022 The Application of Airline Limousine Corporation, d/b/a Airline Shuttle Corp for approval of a tariff rate modification for charter limousine, airport transfer, and special service conducted under CPCN 2050, Sub 4. Staff investigation concluded.

Removed from Agenda prior to consideration.

89. Docket 13-07023 The Application of Lifetrans, Inc. for approval of a tariff rate modification for non-emergency medical transportation service conducted under CPCN 1114. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized and indicated staff support. Kimberly Maxson-Rushton, Esquire appeared on behalf of the Applicant. Approved 3-0

APPLICATIONS FOR FULLY REGULATED CARRIERS

90. Docket 11-07004 The Joint Application of Phyllis J. Clemmer d/b/a Fernley Taxi. to sell and transfer and of Roy L. Street d/b/a Capital Cab Company to purchase and acquire the authority to provide taxicab service conducted under CPCN 1030, Sub 1. Staff investigation concluded. (AJM)

Removed from Agenda prior to consideration.

91. Docket 12-11005 The Joint Application of the Larry E. Bell Separate Property Trust for authority to transfer and of Larry E. Bell, Jr. to acquire 33.33% of the voting stock of Whittlesea Bell, Inc., owner of Bell Trans, Bell Limo, Whittlesea Checker Taxi and Airport Mini Bus (authorized to provide transportation services under CPCN's 1023, Sub2, 1217, 2118, and 2350, Sub 6, respectively). Staff investigation concluded. (GA)

Applications Manager Liz Babcock summarized the Application and indicated staff support. Mr. Jeffrey Silver, Esquire appeared on behalf of the Applicant. Approved 3-0

92. Docket 13-03003 The Application of Wellness Transport, LLC for a permit to operate as a contract motor carrier of passengers within the State of Nevada. (MBM)

Commissioner Metz summarized the Application, indicated receipt of several written protests to the Application and denied the late PLTI's from Life Trans and Medic Coach. Commissioner Metz recommended the approval of the Application. James Jimmerson, Esquire appeared on behalf of the Applicant and discussed in great detail the documentation, procedural history and submitted a written statement (see attached-HH.) Kimberly Maxson-Rushton, Esquire appeared on behalf of the Livery Operators Association and detailed the LOA's objection as to the designation of the Applicant as a contract carrier. Mr. John Templeton, appeared on behalf of the Protestant, Badly Scattered Land and Cattle. Approved 3-0

93. Docket 13-06018 The request for approval of a Management Agreement by AWG Ambassador, LLC d/b/a Ritz Transportation, authorized to conduct charter limousine service, airport transfer service, special service and charter bus service under CPCN's 1089, Sub 2 and 2055, Sub 2. Staff investigation concluded.

Brent Carson, Esquire and Kimberly Maxson-Rushton, Esquire were present on behalf of the Applicant and summarized the request. Also present: Alan Mintz and Paul Servello from AWG Ambassador and from Super Shuttle, Jim Gleich, Mark Friedman and Trevor Halleran. Applications Manager Liz Babcock stated staff does not support the application due to concerns with the incomplete background information, the payment of fines/remedies, the management of only a portion of the certificate and the appearance of a full sale and transfer. Chairman MacKay discussed the main points and indicated his support. Commissioner Assad concurred with Chairman MacKay. Commissioner Metz stated her concerns with the agreement and noted for the record that even though there is a Management Agreement, the Authority can pursue payment of fines directly with the carrier. Senior Deputy Attorney General Newton stated that the concerns brought forward by staff were made simply to apply the regulations as written, not create policy. It is up to the Authority to interpret those regulations. Approved 2-1 Commissioner Metz opposed.

STORAGE LOT DESIGNATION REQUESTS

94. Docket 13-06007A Pursuant to Section 3, Paragraph 7 of Senate Bill 456 (77th 2013), the Authority will consider request(s) from E & E Vehicle Solutions for designation of vehicle storage lots. (AJM)

Removed from Agenda prior to consideration.

95. Docket 13-06007B Pursuant to Section 3, Paragraph 7 of Senate Bill 456 (77th 2013), the Authority will consider requests from Merastar Insurance Company and its affiliates for designation of vehicle storage lots. (AJM)

Chairman MacKay summarized the issue and stated his request for an approval with the receipt of an indemnification agreement at a later date. Commissioner Metz requested the state and local business licenses, and a list of the subsidiaries be attached. Erin McMullen was present on behalf of CoPart. Approved with noted modifications 3-0

PETITIONS TO DEVIATE FROM REGULATION

96. Docket 13-06008 Petitioner All About Service Limousine, Inc. seeks Authority approval to deviate pursuant to NAC 706.1305 from the definition of “regular business hours” set forth in NAC 706.1045. Specifically, the carrier seeks relief from the obligation to remain open for business, record inspection, and other purposes on certain Jewish religious holidays. (GA)

Chairman MacKay summarized the issue, indicated the Applicant was not present and stated his preference to table the item until the next subsequent Agenda meeting. Item approved to be tabled – 3-0

97. Docket 13-07030 Petitioner Desert Portable Storage, LLC d/b/a PODS seeks Authority approval to deviate pursuant to NAC 706.1305 from certain billing detail requirements set forth in NAC 706.335. (MBM)

Tito Rodriguez, Territory Manager for PODS, summarized the request and gave an explanation as to the current procedures in place. Commissioner Metz recommended the deviation be approved, Chairman MacKay and Commissioner Assad concurred. Approved 3-0

DISCUSSION ITEMS

98. Docket No. 13-07039 The Authority will discuss amending the settlement fine schedule amounts and standard fine recommendation standards for hearings for first and subsequent passenger carrier driver violations such as solicitation, uniform rates, and unattended vehicles. (AJM)

Chairman MacKay summarized the issue. Commissioner Metz and Commissioner Assad discussed fines quadruple each subsequent offense. A discussion ensued with regard to the current fine schedule and offenses. Commissioner Metz suggested tabling the item until the next subsequent agenda meeting. Approved 3-0

99. Docket 13-07041 The Authority will discuss its policy standards for confirming the market claimed by Applicants for new or expanded authority as required by NRS 706.391(2)(f). Specifically, the Authority will consider the Staff recommendation that confirmation of market support from each prospective client be based primarily upon documented monthly average consumption of similar services from certificated carriers over the past one year. (AJM)

Chairman MacKay summarized the market issue in detail and stated that the burden should be placed upon the applicant to confirm the market. Applications Manager Liz Babcock read a prepared statement (see attached #99.) Vartan Sarkissyan, Top Limo, stated concerns with proving out the new business market for expansion. Shah Syed, V Transportation, (application pending) requested leniency from the Authority for the smaller carriers with regard to market confirmation. A discussion ensued with regard to cost to carrier and market confirmation. Jamie Kent, Esquire stated his agreement in making the approval process smoother/faster and made the suggestion that the verification process could possibly be handled in a pre-hearing process. J.J. Bell commented on the difficulty in verifying a new, large market and keeping sound records as such. Kimberly Maxson-Rushton stated the opinion that new carriers not be allowed an expansion for 18 months. Larry Miller, Daytripper, LLC., expressed difficulty in market verification. Commissioner Metz agreed with staff's recommendation with the notation that review can be based on a case by case basis. Commissioner Assad stated burden of verification is upon the applicant, Chairman MacKay agreed. Adoption of staffs proposal for market verification Approved 3-0

100. Public Comment

Tom Wright, Ewing Bros. Towing, thanked Chairman MacKay for the clarification on the tow signage. David Walker, Walker Towing, welcomed back Commissioner Metz.

101. Adjournment

Meeting was adjourned at approximately 2:30p.m.