

BRIAN SANDOVAL  
*Governor*

STATE OF NEVADA



BRUCE BRESLOW  
*Director B&I*

ANDREW J. MACKAY  
*Chairman*

GEORGE ASSAD  
*Commissioner*

KEITH SAKELHIDE  
*Commissioner*

DEPARTMENT OF BUSINESS AND INDUSTRY  
**NEVADA TRANSPORTATION AUTHORITY**

**MINUTES OF THE December 18, 2014 GENERAL SESSION**

**AGENDA**

**1. Call to Order**

*Chairman Andrew J. MacKay called the meeting to order at 9:30 a.m.*

**2. Roll Call**

*Present in Las Vegas: Chairman Andrew J. MacKay, Commissioner George Assad, Commissioner Keith A. Sakelhide, Administrative Attorney James Day, Applications Manager Liz Babcock, Financial Analyst Lidia Aronova, Senior Deputy Attorney General David Newton. Present in Reno: Deputy Commissioner Marilyn Skibinski*

**3. Pledge of Allegiance**

*Commissioner Assad led a recital of the Pledge.*

**4. Public Comment**

*None*

**5. Approval of Agenda**

*Administrative Attorney Day requested Items 58 and 107 be removed at staff request, that Items 74, 78, 79 and 82 drivers requested findings be set aside and hearings reset and that Item 102 be removed to be heard at a subsequent Agenda meeting. Applications Manager Liz Babcock requested Item 84 be removed, that Item 68 trail Item 93 and that Item 89 be moved forward to accommodate the Applicant's legal counsel. Senior Deputy Attorney General Newton requested Items 16, 27, 29 and 30 be removed and heard at a subsequent Agenda meeting. Approved as modified 3-0*

**6. Approval of the Minutes of the October 30, 2014 Agenda Meeting**

*Approved 3-0*

**7. Briefings from the Commissioners**

*Commissioner Assad thanked staff for preparation of the Agenda and also recognized Administrative Attorney Day and Senior Deputy Attorney General Newton for their continuing efforts with ongoing litigation. Commissioner Sakelhide echoed Commissioner Assad comments. Chairman MacKay recognized staff for their efforts with the driver permitting roll out in Las Vegas. He also reminded those present about the Regulation Adoption Hearing on Monday December 22, 2014.*

**8. Briefing from the Deputy Commissioner**

*Deputy Commissioner Skibinski congratulated two new carriers, Dependable Tow and Karo Transportation and stated she is working toward obtaining new vehicles for the Agency.*

**9. Report of Legal Counsel**

*Senior Deputy Attorney General Newton filed a Motion to Dismiss in the O'Connor matter and the Motion to Dismiss in the Jones matter was granted.*

**ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS**

*Items 10 through 56, with the exception of Items 16, 27, 29 and 30. Approved 3-0*

- 10. Citation 17174** issued to Monty George and Monty's Moving Company for violations of NRS 706.386 and NRS 706.758. (AJM)
- 11. Citation 16976** issued to Pacific Crest Transportation, LLC d/b/a North Tahoe Checker for violations of NRS 706.386 and NRS 706.758. (AJM)
- 12. Citation 17159** issued to Joseph John Santalla d/b/a Shuttle It for violations of NRS 706.386 (3 counts) and NRS 706.758 (3 counts). (AJM)
- 13. Citation 17160** issued to Activities Reno-Tahoe, LLC dba Sierra Adventures and James Bell for violations of NRS 706.386 and NRS 706.758. (AJM)
- 14. Impound 2316.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Carmine Marinaccio. (AJM)
- 15. Impound 2321.** The impoundment pursuant to NRS 706.476 of a vehicle registered to About Time Limo, LLC. (AJM)
- 16. Impound TA 140710-046.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Juan Blanco/SEBLS Holdings. (GA)  
*Item removed from Agenda prior to consideration.*
- 17. Impound TA 141104-027.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Martina Klcova. (GA)
- 18. Impound I-2419.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Mark Bragen. (GA)
- 19. Impound TA 141024-011.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Nancy Wong. (GA)
- 20. Impound TA 141107-040.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Armen Saakyan. (GA)
- 21. Impound I-2409.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Gary A. Link. (GA)

22. **Impound I-2416.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Michael Elsner. (GA)
23. **Impound TA 141031-023.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Keith Nichols. (GA)
24. **Impound TA 141104-021.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Mark Aaron Leavelle. (GA)
25. **Impound I-2440.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Laurince Lovelife. (GA)
26. **Impound TA 141112-028.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Fernando Molina. (GA)
27. **Citation TA 8-00047941** issued to Juan Blanco for violation of NRS 706.386. (GA)  
*Item removed from Agenda prior to consideration.*
28. **Citations 16745 and 16746** issued to Tri-State Towing and Recovery for violations of NAC 706.3975 (2 counts). (GA)
29. **Citation 17069** issued to Juan Blanco and S & L Investments for a violation of NRS 706.386. (GA)  
*Item removed from Agenda prior to consideration.*
30. **Citation 17111** issued to Juan Blanco for violation of NRS 706.758. (GA)  
*Item removed from Agenda prior to consideration.*
31. **Citations 16350, 17076, 17077, 17078 and 17079** issued to CPO Enterprises, LLC d/b/a Christopher Moving for violations of NAC 706.247/49CFR 391.21 (b)(2) (2 counts), NAC 706.247/49CFR 391.21 (B)(3) (2 counts), NAC 706.247/49CFR 382.405 (2 counts), NAC 706.247/49CFR 391.21 (10), NAC 706.247/49CFR 391.23 (a)(1)(b) (3 counts), NAC 706.247/49CFR 391.23 (a)(2)(c) (3 counts), NAC 706.247/49CFR 391.27 (a)(d), NAC 706.247/49CFR 396.36 and NAC 706.247/49CFR 391.11 (B)(3) (2 counts). (GA)
32. **Citation 16019** issued to Michael Patane and Interstate Contracted Movers for violations of NRS 706.386 and NRS 706.758. (GA)
33. **Citation 17217** issued to Christopher Swain for violations of NRS 706.386 and NRS 706.758. (KAS)
34. **Citations 16730, 17131, 17132, 17133, 17134, 17135, 17138 and 17139** issued to Anthony's Towing for multiple violations of NRS 706 and NAC 706. (KAS)
35. **Citation 17040** issued to Dominic Vilardo for violations of NRS 706.386 and NRS 706.758. (KAS)

36. **Citation 17237** issued to Anthony Morris and UBER Technologies, Inc. for violations of NRS 706.386 and NRS 706.758. (KAS)
37. **Impound 2393**. The impoundment pursuant to NRS 706.476 of a vehicle registered to Kenneth Lloyd Swain. (KAS)
38. **Impound 2402**. The impoundment pursuant to NRS 706.476 of a vehicle registered to PV Holdings. (KAS)
39. **Impound 2404**. The impoundment pursuant to NRS 706.476 of a vehicle registered to Edwin Fajardo. (KAS)
40. **Impound 2406**. The impoundment pursuant to NRS 706.476 of a vehicle registered to Bogale Salatto. (KAS)
41. **Impound 2431 and Citation 17235**. The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17235 issued to Harlan Steele for violations of NRS 706.386 and NRS 706.758. (KAS)
42. **Citation 16747** issued to Titan Towing for a violation of NAC 706.3975.
43. **Citation 14691** issued to Las Vegas Parking Enforcement d/b/a Red Rock Towing for violations of NAC 706.247 (2 counts).
44. **Citation 16938** issued to Michael Sinclair for violations of NRS 706.386 and NRS 706.758.
45. **Citation 16951** issued to Raine Family Towing - Roadrunner Inc. for a violation of NAC 706.203.
46. **Impound I-2435** issued to Anthony Morris for a violation of NRS 706.476.
47. **Citation 17124** issued to Kathryn Ridge and Umbrella Movers for violation of NRS 706.386 and NRS 706.758.
48. **Citation 16985** issued to Cal Neva Towing and Transport for violation of NAC 706.420 and NAC 706.311.
49. **Citation 17317** issued to Andrew Quinn for a violation of NAC 706.234.
50. **Citation 17167** issued to Natomas Towing and Dino Bonilla for violation of NRS 706.386 and NRS 706.758.
51. **Citation 17208** issued to Osaretin Uwaifo for a violation of NAC 706.228.
52. **Citation 17320** issued to Suthee Mocarapiromy for violation of NAC 706.234 and NAC 706.376.
53. **Citation 17214** issued to Joseph McDonald for a violation of NAC 706.228.
54. **Impound I-2326** issued to Kevin Carty for a violation of NRS 706.476.

55. **Impound I-2335** issued to Doyle Dial for a violation of NRS 706.476.
56. **Citation 17231** issued to Eskender Mehadi for violation of NAC 706.228 and NAC 706.234.

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

57. **Docket 14-05014** The expired temporary discontinuance from May 12, 2014 through November 11, 2014 of services provided by James R. Ballard d/b/a D & J Classic Auto Transport, CPCN 7258. Staff's recommendation as to whether the Authority should issue an Order to Show Cause why the CPCN should be revoked. Staff investigation concluded.  
*Applications Manager Liz Babcock gave a brief procedural history of the docket and indicated support for an Order to Show Cause Hearing to be set at the next General Session. Approved 3-0*
58. **Docket 14-08014** The Joint Application of Terry Escoffier d/b/a High Desert Towing to sell and transfer and of High Desert Towing, LLC to purchase and acquire the authority to provide tow car service by tow car vehicle within the State of Nevada, granted under CPCN 7282. Staff investigation concluded. (AJM)  
*Item removed from Agenda prior to consideration.*

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

59. **Docket 13-07018** The Application of Las Vegas Party Coach, LLC d/b/a ELS for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (KAS)  
*Commissioner Sakelhide summarized the application and indicated staff support. Approved 3-0*
60. **Docket 14-01022** The Application of Aladdin Limousine Services, Inc. d/b/a Tahoe Tours for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (AJM)  
*Chairman MacKay summarized the application and indicated his support. Staff remained neutral on the application. Mr. Eslami was present on behalf of the Applicant in Reno. Commissioner Sakelhide questioned the previous revocation of their USDOT operating authority. Mr. Eslami offered the explanation that his former partner left without notice. Kimberly Maxson-Rushton, Esquire, on behalf of the Livery Operators Association (LOA), offered protest to the use of "Limousine and Tours" in the name, as those are fully regulated certificates and could possibly mislead the public and requested a name change. Item tabled to be set for hearing and heard at the next General Session Approved 3-0*
61. **Docket 14-05024** The Application of Happy Hour Entertainment, LLC d/b/a Happy Hour Entertainment Transportation for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (AJM)  
*Chairman MacKay summarized the Application and indicated his support. James Kent, Esquire appeared on behalf of the Applicant. Approved 3-0*
62. **Docket 14-05026** The Application of Limousine Dynamics, LLC d/b/a Vegas Ultimate Charters for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (KAS)

*Commissioner Sakelhide summarized the application and indicated his support. James Kent, Esquire appeared on behalf of the Applicant. Kimberly Maxson-Rushton, Esquire, on behalf of the Livery Operators Association (LOA), offered protest to the use of "Limousine" in the name, as those are fully regulated certificates and could possibly mislead the public and requested a name modification. Applicant agreed not to use corporate name in advertising. Approved 3-0*

- 63. Docket 14-07007** The Application of Las Vegas Event Planners, LLC d/b/a A-List Trans for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA)  
*Commissioner Assad summarized the application and indicated staff support. James Kent, Esquire appeared on behalf of the Applicant. Todd Harrington and Chris Balestrere also appeared. Approved 3-0*

### **VOLUNTARY CANCELLATIONS**

- 64. Docket 14-10018** The voluntary cancellation of Mesquite Bus Company, Inc. CPCN 2041, Sub 1. Staff investigation concluded.  
*Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0*
- 65. Docket 14-11017** The voluntary cancellation of Howard R. Wright and D'Anne L. Wright d/b/a H. R. Auto, CPCN 3288. Staff investigation concluded.  
*Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0*
- 66. Docket 14-11022** The voluntary cancellation of Auto Partners, Inc. d/b/a Auto Guardian, CPCN 7140, Sub 1. Staff investigation concluded.  
*Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0*

### **NAME CHANGES**

- 67. Docket 14-10011** The Petition of American Investment Enterprises, Inc. to change their name from d/b/a Nevada Medi-Car to d/b/a AMR for services provided under CPCN 1034. Staff investigation concluded.  
*Applications Manager Liz Babcock summarized the request and indicated staff support. Jason Driggars appeared on behalf of the Applicant. Approved 3-0*
- 68. Docket 14-11035** The Petition of Move 4 Less, LLC d/b/a Move 4 Less, MoveU4Less.com, to change their name by adding d/b/a Select Flat Rate Moving for services provided under CPCN 3344, Sub 4. Staff investigation concluded.  
*To follow Item 93. Items 68 and 93 considered collectively. Applications Manager Liz Babcock summarized the request. Avi Cohen and Donovan Vandermere appeared on behalf of the Applicant. Approved 3-0*

### **APPLICATIONS FOR WAREHOUSE PERMITS**

- 69. Docket 14-04017** The Application of Big Box Storage Nevada, Inc. for discussion regarding failure to meet compliances for a Warehouse Permit. Staff investigation concluded.  
*Applications Manager Liz Babcock summarized the procedural history. Jason Earl appeared on behalf of Big Box Storage and offered an explanation for the delay. Compliance period extended 60 days and Application to appear at the next General Session – Approved 3-0*

### **PETITION TO DEVIATE FROM REGULATION**

- 70. Docket 14-11002** Petitioner Lucky Limousine, LLC (CPCN 1057) seeks approval to deviate from NAC 706.3612, in that it wishes to allow charter limousine drivers to work shifts of longer duration than permitted by the regulation, during the period of January 5, 2015 through January 10, 2015 (Consumer Electronics Show). Staff investigation concluded. (AJM)  
*Items 70 and 72 were considered collectively. Jahn Herrick appeared on behalf of the Petitioner and detailed the reasoning for the request. Approved 3-0*
- 71. Dockets 14-06004 and 14-12004.** Towing Solutions of Las Vegas, LLC d/b/a Towing Solutions of Las Vegas seeks to extend the previously granted temporary discontinuance of services provided under CPCN 7310 from December 3, 2014 through June 3, 2015. The request includes a Petition to Deviate pursuant to NAC 706.1305, in that the resulting discontinuance will exceed 180 days, in contravention of NAC 706.356. Staff investigation concluded. (AJM)  
*Chairman MacKay summarized the request and indicated an operational inspection be done prior to restarting service. Approved 3-0*
- 72. Docket 14-12008.** Petitioner Las Vegas Limousines (CPCN 2258) seeks approval to deviate from NAC 706.3612, in that it wishes to allow charter limousine drivers to work shifts of longer duration than permitted by the regulation, during the period of January 5, 2015 through January 10, 2015 (Consumer Electronics Show). (AJM)  
*Items 70 and 72 were considered collectively. Terry Flink and John Marushok appeared on behalf of the Petitioner and detailed the reasoning for the request. Approved 3-0*

### **APPLICATIONS FOR DRIVER PERMITS**

- 73. Permit 1371** The Authority will determine whether to grant the application of James F. Gordon for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Permit denied 3-0*
- 74. Permit 1385** The Authority will determine whether to grant the application of Kristel M. Hart for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Item removed from Agenda prior to consideration.*
- 75. Permit 1630** The Authority will determine whether to grant the application of Harry L. Ehrman for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Permit denied 3-0*
- 76. Permit 1631** The Authority will determine whether to grant the application of Wadeah Nwokedi Ramadan for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Permit denied 3-0*

- 77. Permit 1640** The Authority will determine whether to grant the application of Anthony Perriatt for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Mr. Perriatt appeared in Reno, offered an explanation and asked for leniency. Permit denied 3-0*
- 78. Permit 1644** The Authority will determine whether to grant the application of Bradley D. Williamson for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Item removed from Agenda prior to consideration.*
- 79. Permit 1649** The Authority will determine whether to grant the application of Charles O. Mitchell for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Item removed from Agenda prior to consideration.*
- 80. Permit 1650** The Authority will determine whether to grant the application of Lance K. Santos for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Permit denied 3-0*
- 81. Permit 1722** The Authority will determine whether to grant the application of Robert Lawless for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Permit denied 3-0*
- 82. Permit 1726** The Authority will determine whether to grant the application of Vincent M. Villalobos for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)  
*Item removed from Agenda prior to consideration.*

### **FINANCIAL RATES AND TARIFFS**

- 83. Docket 12-01018-F** At the request of Authority Staff, the Authority will consider, pursuant to NAC 706.305 and NRS 706.331, whether to order modifications to the tariff of JMR & CLS, Inc. d/b/a Tri-State Towing & Recovery (CPCN 7141) including but not limited to, Category C Hookup Night rates.  
*Applications Manager Liz Babcock summarized the request. A discussion ensued with regard to the rates in question. Commissioner Sakelhide suggested tabling this item to schedule a hearing and the item be heard at a subsequent Agenda meeting. Approved to be tabled 3-0*
- 84. Docket 14-08022** At the request of Authority Staff, the Authority will consider, pursuant to NAC 706.1382 and NRS 706.463, whether to order modifications to the tariff of National Transportation Services, Inc. d/b/a NTS (CPCN 2092), including but not limited to, their proposed range of rates for charter bus service.  
*Item removed from Agenda prior to consideration.*
- 85. Docket 14-10004** The Applications of 24/7 Limousines, LTD. d/b/a 24/7 Limousines for approval of a tariff rate modification for charter limousine services conducted under CPCN 1039, Sub 2. Staff investigation concluded.  
*Financial Analyst Lidia Aronova summarized the request and indicated staff support. Tony Clark appeared on behalf of the Applicant. Approved 3-0*

- 86. Docket 14-10013** The Application of Ed's Place Towing & Recovery, LLC for approval of a tariff rate modification for tow car services conducted under CPCN 7203, Sub 3. Staff investigation concluded.  
*Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved 3-0*
- 87. Docket 14-11006** The Application of Above & Beyond Care, LLC for approval of a tariff rate modification for non-emergency medical transportation conducted under CPCN 1123. Staff investigation concluded.  
*Financial Analyst Lidia Aronova summarized the request and indicated staff support. Lynda Gallegher appeared on behalf of the Applicant. Approved 3-0*
- 88. Docket 14-11007** The Application of Red Carpet Moving, Inc. d/b/a Red Carpet Moving for final approval of a tariff rate modification for household goods moving service conducted under CPCN 3339. Staff investigation concluded.  
*Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved 3-0*
- 89. Docket 14-11009** The Application of Integrity Taxi, LLC for approval of a tariff rate modification for taxicab services conducted under CPCN 1121. Staff investigation concluded.  
*Financial Analyst Lidia Aronova summarized the request and indicated staff support. Mr. Jim Jimmerson appeared on behalf of the Applicant. Approved 3-0*
- 90. Docket 14-11031** The Application of City Towing, Inc. d/b/a Quality Towing for approval of a tariff rate modification for tow car services conducted under CPCN 3069, Sub 3. Staff investigation concluded.  
*Items 90, 91 and 92 were considered collectively. Financial Analyst Lidia Aronova summarized the request and indicated staff support. Camilla Sparks and Bruce San Fillipo appeared on behalf of the Applicant. Tariff rates to become effective January 5, 2015. Approved 3-0*
- 91. Docket 14-11032** The Application of Ken Lehman Enterprises, Inc. d/b/a South Strip Towing for approval of a tariff rate modification for tow car services conducted under CPCN 7008, Sub 1. Staff investigation concluded.  
*Items 90, 91 and 92 were considered collectively. Financial Analyst Lidia Aronova summarized the request and indicated staff support. Camilla Sparks and Bruce San Fillipo appeared on behalf of the Applicant. Tariff rates to become effective January 5, 2015. Approved 3-0*
- 92. Docket 14-11033** The Application of Sunrise Towing, Inc. for approval of a tariff rate modification for tow car services conducted under CPCN 7049, Sub 1. Staff investigation concluded.  
*Items 90, 91 and 92 were considered collectively. Financial Analyst Lidia Aronova summarized the request and indicated staff support. Camilla Sparks and Bruce San Fillipo appeared on behalf of the Applicant. Tariff rates to become effective January 5, 2015. Approved 3-0*
- 93. Docket 14-11036** The Application of Move 4 Less, LLC d/b/a Move 4 Less, MoveU4Less.com, for approval of a tariff rate modification for household goods moving service conducted under CPCN 3344, Sub 4. Staff investigation concluded.  
*Items 68 and 93 considered collectively. Applications Manager Liz Babcock summarized the request. Avi Cohen and Donovan Vandermere appeared on behalf of the Applicant and offered the reasoning behind the modification to a flat rate. A brief discussion ensued. Approved 3-0*

- 94. Docket 14-11043** The Application of Seiji, LLC d/b/a Seiji Limousine for approval of a tariff rate modification for scenic tour services conducted under CPCN 1111, Sub 2. Staff investigation concluded.

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

- 95. Docket 14-11044** The Application of AWG Ambassador, LLC d/b/a Ambassador Limousine for approval of a tariff rate modification for services conducted under CPCN 1041, Sub 5. Staff investigation concluded.

*Items 95, 96 and 97 were considered collectively. Chairman MacKay summarized the request. Robert Winner, Esquire and Alan Mintz appeared on behalf of the Applicant. A discussion ensued with regard to fee transparency to the public. Approved 2-1 Commissioner Sakelhide opposed.*

- 96. Docket 14-11045** The Application of AWG Ambassador, LLC d/b/a AWG Charter Service for approval of a tariff rate modification for services conducted under CPCN 1068, Sub 4. Staff investigation concluded.

*Items 95, 96 and 97 were considered collectively. Chairman MacKay summarized the request. Robert Winner, Esquire and Alan Mintz appeared on behalf of the Applicant. A discussion ensued with regard to fee transparency to the public. Approved 2-1 Commissioner Sakelhide opposed.*

- 97. Docket 14-11046** The Application of AWG Ambassador, LLC d/b/a AWG Charter Service and AWG Motorcoach Service for approval of a tariff rate modification for services conducted under CPCN 2030, Sub 2. Staff investigation concluded.

*Items 95, 96 and 97 were considered collectively. Chairman MacKay summarized the request. Robert Winner, Esquire and Alan Mintz appeared on behalf of the Applicant. A discussion ensued with regard to fee transparency to the public. Approved 2-1 Commissioner Sakelhide opposed.*

- 98. Docket 14-12002** The Application of Open Top Sightseeing Las Vegas, LLC d/b/a Big Bus Tours for approval of a tariff rate modification for services conducted under CPCN 2004, Sub 12. Staff investigation concluded.

*Applications Manager Liz Babcock summarized the request and indicated staff concerns with aggregate daily rates offered through Groupon, Living Social and Tickets for Tonight. Kimberly Maxson-Rushton, Esquire appeared on behalf of the Applicant and offered further information for the request. Approved as modified 3-0*

- 99. Docket 14-12003** The Application of VLS, LLC for approval of a tariff rate modification for charter services conducted under CPCNs 1059, Sub 8, and 2149, Sub 3. Staff investigation concluded.

*Financial Analyst Lidia Aronova summarized the request and indicated staff support. Kimberly Maxson-Rushton, Esquire and Beverly Fisher appeared on behalf of the Applicant. Approved 3-0*

## **100. Public Comment**

*None*

### **1:30 PM AFTERNOON SESSION**

*Afternoon session began at approximately 2:00 p.m.*

## **101. Public Comment**

*Michael Greene (Citation 17332 and Impound I-2463) expressed a desire to pursue lowering his fines. Administrative Attorney Day agreed to give Mr. Greene his contact information to discuss the matter further.*

## **PETITIONS FOR RECONSIDERATION/REMOVAL FROM INELIGIBLE LIST**

- 102. Docket 10-11021.** Petition for Reconsideration of the Authority's May 8, 2014 Orders in the matter of the motion to dismiss docket 10-11021, the Application of Bella Vita Limousines, LLC d/b/a Bella Vita Limousines for a certificate of public convenience and necessity to provide charter limousine service within Clark and Nye Counties, Nevada. (AJM)

*Item removed from the Agenda prior to consideration.*

- 103. Docket 14-11026.** Petitioner Mekonen Tewolde seeks deviation from NAC 706.229, in that he wishes to be deemed eligible to be hired as a limousine driver despite his failure to appear at a citation hearing where he was found in violation of a provision of NAC 706 (Citation 15838). (MBM)

*Mr. Tewolde appeared and requested his removal from the ineligible driver list. A brief discussion ensued. Approved for removal 3-0*

- 104. Docket 14-11037.** Petitioner Christina Wahlstrom seeks reconsideration of the fine amounts set forth in the Authority's October 30, 2014 final Order in the matter of Citation 17158. (AJM)

*Christina Wahlstrom appeared in Reno. Chairman MacKay reset the matter for hearing January 29, 2015 at 1:30 p.m. Approved 3-0*

- 105. Docket 14-11040.** Petitioner Juris Milgravis seeks reconsideration of the fine amounts set forth in the Authority's October 30, 2014 final Order in the matter of Impound 2390 and Citation 17234. (KAS)

*Juris Milgravis appeared and requested a reduction in fine amounts stating financial hardship. Commissioner Sakelhide agreed to a \$5,000.00 fine with the entire amount suspended. Approved 3-0*

- 106. Docket 14-12001.** Petitioner Carlos Fitzpatrick seeks deviation from NAC 706.229, in that he wishes to be deemed eligible to be hired as a limousine driver despite his failure to appear at a citation hearing where he was found in violation of a provision of NAC 706 (Citation 15838). (GA)

*James Kent, Esquire and Carlos Fitzpatrick appeared and explained the difficulty he is having with getting a payment plan arranged through the Controller's Office. Approved for removal from the ineligible list conditionally approved with a 6 month timeframe for payment. Approved 3-0*

## **APPLICATIONS FOR FULLY REGULATED CARRIERS**

- 107. Docket 13-09009** The Application of Lewis Carriages, Inc. for a Certificate of Public Convenience and Necessity to provide charter limousine, airport transfer and special services within Clark and Nye Counties, Nevada. Staff investigation concluded. (GA)

*Item removed from the Agenda prior to consideration.*

- 108. Docket 13-09016** The Application of Five Star Limo, LLC d/b/a Five Star Limo for an expansion of operating authority granted under CPCN 1113. Staff investigation concluded. (GA)

*Commissioner Assad briefly summarized the application. Applications Manager Liz Babcock summarized the application, stated the LOA withdrew their Petition for Leave to Intervene and indicated staff support. Alicia Ashcraft, Esquire and Mr. Akopian appeared on behalf of the Applicant. Approved 3-0*

- 109. Docket 14-10021** The Joint Application of Airline Limousine Corporation d/b/a Airline Shuttle Corp for authority to transfer and of Airline Shuttle, LLC to acquire the authority to provide charter bus, charter limousine, special service, and airport transfer service within the State of Nevada under CPCN 2050, Sub 4. Frias Standard Capital, Inc. will serve as sole manager. Staff investigation concluded. (KAS)

*Items 109, 110 and 111 were considered collectively. (see attached Exhibit) Jack Hannifan, Esquire and John Mowbray, Esquire appeared on behalf of the Applicants. Approved 3-0*

- 110. Docket 14-10022** The Joint Application of Las Vegas Limousines, A Nevada Corporation for authority to transfer and of Las Vegas Limousines, LLC to acquire the authority to provide charter limousine, and airport transfer service within the State of Nevada under CPCN 2258, Sub 5. Frias Standard Capital, Inc. will serve as sole manager. Staff investigation concluded. (KAS)

*Items 109, 110 and 111 were considered collectively. Jack Hannifan, Esquire and John Mowbray, Esquire appeared on behalf of the Applicants. Approved 3-0*

- 111. Docket 14-10023** The Joint Application of Frias Holding Company, A Nevada Corporation (“FHC-C”) for authority to transfer and of Frias Holding Company, LLC to acquire 100% of FHC-C, the owner of Las Vegas Limousines, Inc. and Airline Limousine, Inc. carriers authorized to provide charter bus, charter limousine, special service, and airport transfer service within the State of Nevada under CPCNs 2050, Sub 4 and 2258, Sub 5. Frias Standard Capital, Inc. will serve as sole manager. Staff investigation concluded. (KAS)

*Items 109, 110 and 111 were considered collectively. Jack Hannifan, Esquire and John Mowbray, Esquire appeared on behalf of the Applicants. Approved 3-0*

### **ORDERS TO SHOW CAUSE**

- 112. Docket 14-11003** The Order to Show Cause issued to Cristela Armendariz d/b/a City View Towing as to why CPCN 7255 should not be revoked. (KAS)

*Applications Manager Liz Babcock summarized the procedural history of the docket. CPCN revoked 3-0*

### **STORAGE LOT DESIGNATION REQUESTS**

- 113. Docket 14-11008-A through 14-11008-G** Pursuant to NRS 706.4489(7), the Authority will consider seven total requests from Auto Owners Insurance, Pacific Property and Casualty Company, and American National entities for designation of a vehicle storage lot operated by Copart, Inc. d/b/a 57 Storage. The Authority will consider approval and/or ratification of interim approvals of the storage lot designation with respect to jurisdictions for which executed indemnification agreements have been provided in conformity with NRS 706.4489(7)(a) and NRS 706.4489(4). (GA)

*Approved 3-0*

### **DISCUSSION ITEMS**

- 114.** The Authority will discuss questions posed in letters from E&E Vehicle Solutions, LLC (received December 4, 2014) and Copart dba 57 Storage (received December 9, 2014) regarding interpretation and application of NRS 706.4489 and related requirements governing tows to designated storage lots. The discussion and action on this item could result in the issuance of advisory opinions.

*A discussion ensued with regard to the current towing practices. The following people participated: Jerry Carnahan, representing E & E Vehicle Solutions, Abe Parham, CoPart and Samuel McMullen, CoPart, Camilla Sparks and Bruce San Filippo, Quality Towing, Connie BenShimon, Fast Towing, David Walker, Walker Towing, Michael Keller, AAA Insurance, Matt Elfrink, Farmers Insurance, Robert Ellis, E & E Auto Auction, Gary Foster and James Olschlager, Nevada Highway Patrol. (see attached Exhibit)*

*A formal guidance letter will be presented at the next General Session.*

**115. Public Comment**

*None*

**116. Adjournment**

*Meeting adjourned at approximately 4:45 p.m.*