

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 July 15, 2015 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 Yvonne Shelton, Financial Analyst Lidia Aronova, Chief of Enforcement Michael Bradford, Senior Deputy Attorney General David Newton.

3. Pledge of Allegiance

Commissioner George Assad led a recital of the Pledge.

4. Public Comment

None

5. Approval of Agenda

Administrative Attorney James Day requested Items 13 and 14 be considered separately. Approved 3-0

6. Approval of the Minutes of the June 11, 2015 Agenda Meeting

Approved 3-0

7. Briefings from the Commissioners

Commissioner Assad recognized the preparation work Commissioner Sakelhide and Administrative Attorney Day had done for the upcoming regulation workshops. Chairman MacKay recognized Deputy Commissioner Marilyn Skibinski and congratulated her on her retirement.

8. Briefing from the Deputy Commissioner

None

9. Report of Legal Counsel

None

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10 through 29 were considered collectively, with the exception of Items 13 and 14. Approved 3-0

10. **Citation 17651** issued to Harry Patrick Lee for a violation of NAC 706.234. (KAS)
11. **Citation 17641** issued to Tefera Damtew for violation of NAC 706.228 and NAC 706.329. (KAS)
12. **Citation 17382** issued to Mulubrhan Dagneu for a violation of NRS 706.386. (KAS)
13. **Citation 17496** issued to Alula Beyene Ejigu for a violation of NAC 706.228. (KAS)
Mr. Ejigu appeared. Approved 3-0
14. **Citation 14696** issued to AWG Ambassador, LLC for violation of NAC 706.208 and NAC 706.381.1.
Commissioner Sakelhide itemized his concerns with the settlement agreement as presented and requested the item be set for hearing. Brent Carson, Esquire appeared on behalf of AWG Ambassador. Settlement agreement withdrawn and hearing set for August 12, 2015. Approved to be reset 3-0
15. **Citation 16924** issued to Top Limo Las Vegas, LLC for violations of NAC 706.3612 (2 counts).
16. **Citation 17089** issued to Cosmo, Inc. for a violation of NRS 706.167(1).
17. **Citation 17289** issued to Peggy Loeffelmacher for a violation of NAC 706.376.
18. **Citation 17253** issued to Erik Dahman for a violation of NRS 706.758.
19. **Citation 17534** issued to Soloman Tsegay for a violation of NAC 706.228.
20. **Citation 17352** issued to Super Express, Inc. dba Chykkos Towing for a violation of NAC 706.203.
21. **Citation 17576** issued to AA Action Towing for violations of NAC 706.203 (2 counts).
22. **Citation 17537** issued to Omni Limousine Inc. for a violation of NAC 706.311. *N*
23. **Citation 17539** issued to Commerce Towing for a violation of NAC 706.424.
24. **Citation 17645** issued to Fetsum Mekonnen for violation of NAC 706.228 and NAC 706.329.
25. **Citation 17639** issued to Brandon Schaffner for a violation of NAC 706.228.
26. **Citation 17640** issued to Gosaye Debela for a violation of NAC 706.228.
27. **Citation 17644** issued to Shemisedin Musa for a violation of NAC 706.234.
28. **Citation 17647** issued to Solomon Birara for a violation of NAC 706.228.

29. Citation 17654 issued to Yohannes Woldu for a violation of NAC 706.234.

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

30. Dockets 14-06004 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 June 3, 2015 through September 3, 2015. The request includes retroactive approval. Staff investigation concluded.

Chairman MacKay summarized the request. Approved 3-0

31. Docket 14-08020 The Application of BWS Group, Inc. d/b/a AP Towing for a certificate of public convenience and necessity to provide consent and non-consent tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded. (AJM)

Chairman MacKay summarized the Application, indicating consent and non-consent tow operations to be located in North Las Vegas. Angela Preston appeared on behalf of the Applicant. Approved 3-0

32. Dockets 14-12021 Gold Standard Recovery, LLC seeks to extend the previously granted temporary discontinuance of services provided under CPCN 7325 from June 30, 2015 through December 30, 2015. The request includes retroactive approval. Staff investigation concluded.

Chairman MacKay summarized the request. Approved 3-0

EXEMPTION REQUESTS

33. Docket 15-04034 Rock Rat Adventures, LLC seeks a declaration of exemption pursuant to NAC 706.147 from the requirement to obtain a CPCN to provide intrastate commercial passenger transportation/tours in Nevada.

Chairman MacKay summarized the request. Charles Smith appeared in Reno and gave a brief explanation of the services being offered. Approved 3-0

VOLUNTARY CANCELLATIONS

34. Docket 15-06005 The voluntary cancellation of Miguel Angel Acosta d/b/a Angel's Towing & Auto Body, CPCN 7155, Sub 1. Staff investigation concluded.

Chairman MacKay summarized the request. Approved 3-0

APPLICATIONS FOR VAN POOL

35. Docket 15-06031 The Application of Barrick Goldstrike Mines, Inc. for approval of an employer van pool. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff concerns with regard to vehicle registrations. Motion to table item until next subsequent Agenda. Approved 3-0

PETITIONS FOR REMOVAL FROM INELIGIBLE DRIVER LIST

36. Docket 15-06008. Petitioner Mohammed Jasim Uddin 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 (Citation 16147, July 2013 General Session).

Chairman MacKay summarized the request. Mr. Uddin appeared in Reno. Mr. Nuruzzaman appeared on behalf of Mr. Uddin. Motion to approve removal from ineligible driver list – Approved 3-0

37. Docket 15-06007. Petitioner Bazlu Rahman 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 timely pay the fine amount assessed for Citation 14178 (final Order from April 2012 General Session).

Administrative Attorney Day summarized the procedural history of the Citation. Motion to approve removal from ineligible driver list – Approved 3-0

APPLICATIONS FOR DRIVER PERMITS

38. Permit 2044 The Authority will determine whether to grant the application of Eckert Francisco for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

39. Permit 2043 The Authority will determine whether to grant the application of David Coleman for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

40. Permit 2047 The Authority will determine whether to grant the application of Manuel Acosta for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

41. Permit 2030 The Authority will determine whether to grant the application of Joseph Silvers for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

42. Permit 2032 The Authority will determine whether to grant the application of Michael Howard for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Michael Howard appeared and indicated no receipt of mailings. Hearing to be reset to August 11, 2015 at 9:40 a.m.

43. Permit 2036 The Authority will determine whether to grant the application of Myron Todd for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

44. Permit 2038 The Authority will determine whether to grant the application of Kevin Strock for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

45. Permit 1935 The Authority will determine whether to grant the application of Patricia Garrett for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

46. Permit 1992 The Authority will determine whether to grant the application of James Richards for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

47. Permit 2039 The Authority will determine whether to grant the application of Robert Litheredge for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Permit denied 3-0

48. Permit 1912 The Authority will determine whether to grant the application of Alice Tankersley for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

(KAS)

Robert Langford, Esquire requested a closed session. Motion to go into closed session approved 3-0. Commissioner Sakelhide gave a statement with regard to the legislative standards for driver permitting and recommended the denial of the driver permit. Permit denied 2-1 Commissioner Assad opposed

49. 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)

Michelle Baumgarner, Esquire and Anthony Perriatt appeared in Reno. Chairman MacKay summarized the procedural history of the application. Ms. Baumgarner provided a brief statement.

Permit denied 3-0

FINANCIAL RATES AND TARIFFS

50. Docket 15-06027 The Application of Puliz Moving & Storage Company, Inc. for approval of a tariff rate modification for services conducted under CPCN 3134. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Ronda Gentry appeared in Reno. Approved 3-0

51. Docket 15-06028 The Application of Sierra Moving Systems for approval of a tariff rate modification for services conducted under CPCN 3238, Sub 1. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Ronda Gentry appeared in Reno. Approved 3-0

52. Docket 15-06029 The Application of Lewis Carriages, Inc. d/b/a All Resort Limousine for approval of a tariff rate modification for services conducted under CPCN 1125. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Brent Carson, Esquire appeared on behalf of the Applicant. Approved 3-0

53. Docket 15-07002 The Application of Airline Shuttle, LLC d/b/a Airline Shuttle for approval of a tariff rate modification for services conducted under CPCN 2050, Sub 7, Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Erin Dixon appeared on behalf of the Applicant. Approved 3-0

54. Docket 15-07003 The Application of Las Vegas Limousines, LLC d/b/a Las Vegas Limousines for approval of a tariff rate modification for services conducted under CPCN 2258, Sub 8. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Erin Dixon appeared on behalf of the Applicant. Approved 3-0

APPLICATIONS FOR FULLY REGULATED CARRIERS

55. Docket 13-09009 The Application of Lewis Carriages, Inc. for a certificate of public convenience and necessity to provide charter limousine service within the State of Nevada. A condition of the Compliance Order has not been met. Staff investigation concluded. (GA) *Applications Manager Liz Babcock summarized the procedural history. Brent Carson, Esquire appeared on behalf of the Applicant and indicated the fingerprinting has been resubmitted correctly. Diana Waring appeared on behalf of the Applicant and assured the Authority of the submission. Motion to table item to the December General Session. Approved 3-0*

56. Docket 15-04039 The request for approval of an amendment to a Management Agreement by VLS, LLC authorized to conduct charter limousine, charter bus, special service, and airport transfer service under Certificates of Public Convenience and Necessity 1059, Sub 8, and 2149, Sub 3. Staff investigation concluded. (KAS)

Commissioner Sakelhide gave a brief summary of the amendment to the Agreement. Kimberly Maxson-Rushton, Esquire appeared on behalf of the Applicant. Approved 3-0

57. Docket 15-07004 The request for approval of a Management Agreement by Viva Las Vegas Tour & Travel, Inc. authorized to conduct contract carrier service under Contract Carrier Permit MV 6149. Staff investigation concluded. (AJM)

Items 57 and 58 were considered collectively. James Kent, Esquire and Daniel Santisteban appeared on behalf of the Applicant. Commissioner Sakelhide recommended the OSC and dockets 15-07004 and 15-70005 be handled together at one hearing. Mr. Kent requested a temporary discontinuance of operations until a hearing can be scheduled. Motion to table Items 57 and 58 Approved 3-0. Hearing scheduled for August 10, 2015 at 10:30 a.m.

58. Docket 15-07005 The Application for approval of subsequent contracts of contract motor carriers pursuant to NAC 706.272 by Viva Las Vegas Tour & Travel, Inc. authorized to conduct services under Contract Carrier Permit MV 6149. Staff investigation concluded. (AJM)

Items 57 and 58 were considered collectively. James Kent, Esquire and Daniel Santisteban appeared on behalf of the Applicant. Commissioner Sakelhide recommended the OSC and dockets 15-07004 and 15-70005 be handled together at one hearing. Mr. Kent requested a temporary discontinuance of operations until a hearing can be scheduled. Motion to table Items 57 and 58 Approved 3-0 Hearing scheduled for August 10, 2015 at 10:30 a.m.

MOTIONS TO DISMISS

59. Docket 13-01013 The Application of Shuttle Company of Nevada, LLC for a CPCN to provide airport transfer service within Clark County, Nevada. Deputy Commissioner's Motion to Dismiss Application.

Chairman MacKay summarized the procedural history and recommended the application be dismissed. James Kent, Esquire appeared and stated he is no longer retained by the applicant. Approved 3-0

60. Docket 14-08016 The Application of Elsie Sanchez d/b/a E and G Towing for a CPCN to provide tow car services within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application.

Chairman MacKay summarized the procedural history and recommended the application be dismissed. Approved 3-0

61. Docket 14-11030 The Application of MR NYC Enterprises, Inc. d/b/a MR NYC Towing for a CPCN to provide tow car services within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application.

Chairman MacKay summarized the procedural history and recommended the application be dismissed. Approved 3-0

62. Public Comment

None

63. Adjournment

Meeting adjourned at 1:00 p.m.