

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

IN THE MATTER OF:

THE APPLICATION OF A CAB FOR
MODIFICATION OF CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY

ORDER

At a regularly scheduled meeting of the Taxicab Authority Board, at the Nevada Taxicab Authority, 2080 E. Flamingo Rd., Las Vegas, NV 89119, on June 26, 2014.

PRESENT: Ileana Drobkin, Chairperson
Dean Collins, Member
Joe Hardy, Jr., Member
Charles D. Harvey, Taxicab Authority Administrator
Christine Guerci-Nyhus, Deputy Attorney General

The STATE OF NEVADA TAXICAB AUTHORITY makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. Intervenors, Henderson Taxi and Whittlesea Blue Cab Company ("Henderson/Whittlesea Blue"), filed a Motion to Stay the hearing on A Cab's Application for Modification of its Certificate of Public Convenience and Necessity ("Application").
2. In June 2013, A Cab filed a Motion for a Declaratory Order, seeking an Order from the Taxicab Authority Board that the Application will be adjudicated pursuant to NRS 706.391 and NAC 706.1375.
3. In March 2014, the Taxicab Authority Board issued its Declaratory Order, declaring that NRS 706.391 and NAC 706.1375 will not be used as the standard under which the A Cab Application will be adjudicated.

- 1 4. In April 2014, A Cab appealed the Declaratory Order to the Nevada Transportation
2 Authority. A hearing date has not yet been set.
- 3 5. Henderson/Whittlesea Blue argues that a stay is necessary in order to avoid holding a
4 hearing on the Application before the Nevada Transportation Authority and/or District
5 Court conclusively decides whether the Application should be adjudicated pursuant to
6 NRS 706.391 and NAC 706.1375.
- 7 6. A Cab argues that the Taxicab Authority Board has no authority under the statute that
8 governs appeals to the Nevada Transportation Authority, NRS 706.8819, to stay the
9 proceeding.
10

11 CONCLUSIONS OF LAW

- 12 1. Henderson/Whittlesea Blue's Motion is premature because the Nevada Transportation
13 Authority may render its decision on A Cab's Appeal from the Declaratory Order prior
14 to the September 2014 Taxicab Authority Board meeting.

15 ORDER

16 GOOD CAUSE APPEARING THEREFORE,

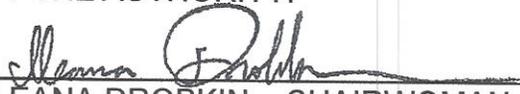
17 IT IS HEREBY ORDERED that Henderson/Whittlesea Blue's Motion to Stay is
18 continued.
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20 IT IS FURTHER ORDERED that the Parties shall stipulate to an amended briefing
21 schedule.
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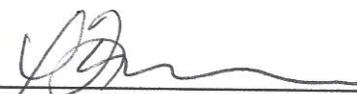
1 IT IS FURTHER ORDERED that if the Parties do not stipulate to an amended briefing
2 schedule, the Taxicab Authority Board may discuss and decide on a briefing schedule during
3 a Taxicab Authority Board meeting.

4 Dated this 21st day of July, 2014.

5
6 BY THE AUTHORITY:

7 
8 _____
9 ILEANA DROBKIN - CHAIRWOMAN

10 ATTEST:

11 
12 _____
13 CHARLES D. HARVEY - ADMINISTRATOR

CERTIFICATE OF SERVICE BY EMAIL

I hereby certify that I am an employee of the Nevada Taxicab Authority and that on the 24th day of July, 2014, I served the following ORDER to CONTINUE WHITTLESEA BLUE'S / HENDERSON TAXI'S MOTION TO STAY regarding the A Cab Application for Modification of Certificate of Public Convenience and Necessity on the below recipients via electronic mail:

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An Employee of the Nevada Taxicab Authority