

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

IN THE MATTER OF:

APPLICATION FOR MODIFICATION OF THE LANGUAGE OF THE GEOGRAPHIC SCOPE OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF BOULDER CAB d/b/a DELUXE CAB TO REFLECT THE AUTHORITY TO TRANSPORT PASSENGERS AND THEIR LUGGAGE BETWEEN POINTS AND PLACES WITHIN CLARK COUNTY, NEVADA.

ORDER

At a regular monthly session of the State of Nevada Taxicab Authority, held at the Nevada Taxicab Authority, 1785 E. Sahara Ave., Ste. 200, Las Vegas, NV 89104.

PRESENT: Ileana Drobkin, Chairperson
Dean Collins, Member
Bruce Aguilera, Member
Tom Ely, Interim Taxicab Authority Administrator
Christine Guercci-Nyhus, Deputy Attorney General

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

FINDINGS OF FACT

1. On December 10, 2013, Boulder Cab d/b/a Deluxe Cab filed an application to modify the language of the geographic scope of its Certificate of Public Convenience and Necessity to reflect the authority to transport passengers and their luggage between points and places within Clark County, Nevada.
2. On October 30, 2014, a public hearing was held in the above-entitled matter, in compliance with the provisions of the Nevada Open Meeting Law, the Nevada

1 Administrative Procedure Act, and Chapter 706 of the Nevada Revised Statutes (NRS)
2 and the Nevada Administrative Code (NAC).

- 3 3. At this duly noticed meeting, Agenda Item No. 14 was listed as captioned above.
- 4 4. The following filed Petitions to Intervene and all were permitted to intervene and be
5 heard: 1) Yellow/Checker/Star Cab Companies, 2) A Cab, LLC, 3) Whittlesea Blue/
6 Henderson Taxi, 4) Lucky Cab Company, 5) Ace Cab, Inc., Union Cab Co., A NLV Cab
7 Co., Vegas-Western Cab, Inc., and Virgin Valley Cab Company, Inc., 6) Western Cab
8 Company, 7) ITPE Union.
- 9 5. This was a limited hearing for the purposes of considering the stipulation and
10 agreement between Deluxe/Boulder and Intervenors, Whittlesea Blue/Henderson Taxi,
11 Yellow/Checker/Star Cab Companies, Nellis Cab Company, Desert Cab Company, and
12 Western Cab Company. These Parties stipulated and agreed as follows:
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- 14 a. That Boulder/Deluxe will be entitled to an amended certificate granting authority
15 to operate throughout Clark County, with the exception of Mesquite, like the
16 other cab companies;
 - 17 b. That Deluxe/Boulder shall be entitled to put eleven, twenty-four seven
18 medallions immediately in service throughout Clark County, unless specifically
19 exempted;
 - 20 c. That Deluxe/Boulder shall immediately move the northern end of its limited
21 certificated area from Sunset to Russell Road, to include service to properties
22 that abut the north side of Russell Road;
 - 23 d. That all of the other medallions Deluxe/Boulder currently has (except for the
24 eleven that would immediately go county wide) shall be limited to the restricted
25 Boulder/Deluxe certificated area for pick up;
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1 e. That those medallions that are restricted to pick up in Deluxe/Boulder's limited
2 area (as amended by the expansion to Russell Road) shall stay in Deluxe/
3 Boulder's geographically limited area for fifteen years and Boulder agrees not to
4 apply to expand authority for the limited medallions (except as otherwise noted
5 in the agreement) to pick up in the resort corridor, commonly known in the
6 taxicab industry as the golden triangle;

7 f. That Deluxe/Boulder shall be entitled to share equally in all future allocations
8 county wide both temporary and permanent and for special events.
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10 CONCLUSIONS OF LAW

11 1. Pursuant to NRS 706.8827(2), upon the filing of an application for a certificate of public
12 convenience and necessity, the Taxicab Authority shall fix a time and place for a
13 hearing thereon. The Taxicab Authority shall issue the certificate if it finds that:

14 a. The applicant is fit, willing, and able to perform the services of a taxicab motor
15 carrier;

16 b. The proposed operation will be consistent with the legislative policies set forth in
17 NRS 706.151;

18 c. The granting of the certificate will not unreasonably and adversely affect other
19 carriers operating in the territory for which the certificate is sought;

20 d. The holders of existing certificates will not meet the needs of the territory for
21 which the certificate is sought if the certificate is not granted; and

22 e. The proposed service will benefit the public and the taxicab business in the
23 territory to be served.
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25 2. Deluxe/Boulder President/Secretary, Richard R. Flaven, offered the following
26 testimony:
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- 1 a. That Deluxe Cab has been operating as a taxicab motor carrier since 1998, and
2 therefore, has shown it is fit, willing, and able to perform the services of a
3 taxicab motor carrier;
- 4 b. That the proposed geographic expansion of Deluxe/Boulder will be consistent
5 with the legislative policies set forth in NRS 706.151;
- 6 c. That the granting of a certificate reflecting the proposed geographic expansion
7 of Deluxe/Boulder will not unreasonably and adversely affect other carriers
8 operating in the territory for which the certificate is sought;
- 9 d. That the holders of existing certificates will not meet the needs of the territory for
10 which the certificate is sought if the certificate is not granted; and
- 11 e. That the proposed service will benefit the public and the taxicab business in the
12 territory to be served.

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14 3. There was no evidence offered in opposition to the testimony offered by Deluxe/
15 Boulder.

16 4. Based on the uncontested testimony of Mr. Flaven, Deluxe/Boulder has met the
17 statutory criteria set forth in NRS 706.8827(2) to modify the language of the geographic
18 scope of its Certificate of Public Convenience and Necessity to reflect the authority to
19 transport passengers and their luggage between points and places within Clark
20 County, Nevada, as set forth in the Order, below.

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22 ORDER

23 THEREFORE, IT IS HEREBY ORDERED that Boulder/Deluxe will be entitled to an
24 amended certificate granting authority to operate throughout Clark County, with the exception
25 of Mesquite, like the other cab companies.
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1 IT IS FURTHER ORDERED that Deluxe/Boulder shall be entitled to put eleven, twenty-
2 four seven medallions immediately in service throughout Clark County, unless specifically
3 exempted.

4 IT IS FURTHER ORDERED that Deluxe/Boulder shall immediately move the northern
5 end of its limited certificated area from Sunset to Russell Road, to include service to
6 properties that abut the north side of Russell Road.

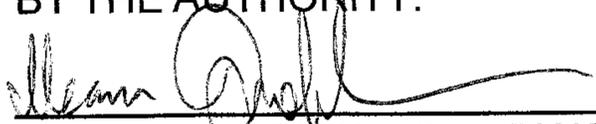
7 IT IS FURTHER ORDERED that all of the other medallions Deluxe/Boulder currently
8 has (except for the eleven that would immediately go county wide) shall be limited to the
9 restricted Boulder/Deluxe certificated area for pick up.
10

11 IT IS FURTHER ORDERED that those medallions that are restricted to pick up in
12 Deluxe/Boulder's limited area (as amended by the expansion to Russell Road) shall stay in
13 Deluxe/ Boulder's geographically limited area for fifteen years and Boulder agrees not to
14 apply to expand authority for the limited medallions (except as otherwise noted in the
15 agreement) to pick up in the resort corridor, commonly known in the taxicab industry as the
16 golden triangle.

17 IT IS FURTHER ORDERED that Deluxe/Boulder shall be entitled to share equally in all
18 future allocations county wide both temporary and permanent and for special events.
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20 Dated this 4 day of November, 2014.

21 BY THE AUTHORITY:

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23 ILEANA DROBKIN – CHAIRWOMAN
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