

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

IN THE MATTER OF:

HEARING ON A CAB'S APPLICATION
FOR MODIFICATION OF CERTIFICATE
OF PUBLIC CONVENIENCE AND
NECESSITY

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
Dennis Nolan, Member
Tom Ely, Interim 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. On March 1, 2013, A Cab, LLC ("A 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 throughout Clark County, Nevada.
2. On November 17, 2014, a public hearing was held in the above-entitled matter, in compliance with the provisions of the Nevada Open Meeting Law, the Nevada Administrative Procedure Act, and Chapter 706 of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC).
3. At this duly noticed meeting, Agenda Item No. 14 was listed as captioned above.
4. The following filed Petitions to Intervene and all were permitted to intervene and be heard: 1) A Cab, 2) Yellow/Checker/Star Cab Company, 3) Ace Cab, Inc., Union Cab

1 Co., A NLV Cab Co., Vegas-Western Cab, Inc., and Virgin Valley Cab Company, Inc.,
2 4) Whittlesea Blue/Henderson Taxi, 5) Western Cab Company, 6) Boulder Cab d/b/a
3 Deluxe Taxicab Service, and 7) ITPE Union.

4 5. This was a limited hearing for the purposes of considering the stipulation and
5 agreement between A Cab and Intervenors, Yellow/Checker/Star Cab Company, Ace
6 Cab, Inc., Union Cab Co., A NLV Cab Co., Vegas-Western Cab, Inc., and Virgin Valley
7 Cab Company, Inc., Whittlesea Blue/Henderson Taxi, Western Cab Company, and
8 Boulder Cab d/b/a Deluxe Taxicab Service and Desert Cab Company. These Parties
9 stipulated and agreed as follows:
10

- 11 a. That A Cab will be entitled to an amended certificate granting authority to
12 operate throughout Clark County, with the exception of Mesquite, like the other
13 cab companies;
- 14 b. That A Cab will be entitled to put twelve (12) twenty-four seven medallions
15 immediately in service throughout Clark County, unless specifically exempted;
- 16 c. That A Cab will be entitled to put four (4) twenty-four seven handivan medallions
17 immediately in service throughout Clark County, with the exception of the Las
18 Vegas Strip from Sahara Avenue to Russell Road, and McCarran Airport. "Las
19 Vegas Strip" includes properties with frontage on Las Vegas Blvd South
20 between Sahara Avenue and Russell Road, regardless of the physical address
21 of such properties;
- 22 d. That A Cab will be entitled to put four (4) weekend medallions (2-2, Thursdays
23 to Mondays) immediately in service throughout Clark County, with the exception
24 of the Las Vegas Strip from Sahara Avenue to Russell Road, and McCarran
25 Airport. "Las Vegas Strip" includes properties with frontage on Las Vegas Blvd
26
27
28

1 South between Sahara Avenue and Russell Road, regardless of the physical
2 address of such properties;

- 3 e. That those medallions that are restricted to pick up in A Cab's limited area shall
4 stay in A Cab's geographically limited area for fifteen years and A Cab agrees
5 not to apply to expand authority for the limited medallions (except as otherwise
6 noted in the agreement) to pick up in the resort corridor, commonly known in the
7 taxicab industry as the golden triangle;
8
9 f. That A Cab shall be entitled to share equally in all future allocations county-
10 wide, both temporary and permanent, and for special events, like the other cab
11 companies without further restriction;
12
13 g. This is a compromise of disputed claims solely for the purpose of avoiding the
14 risks, costs and uncertainties of continued litigation. No adjudication on the
15 merits is established or admitted.

16 6. A Cab President, Creighton J. Nady, offered the following testimony:

- 17 a. That A Cab has been operating as a taxicab motor carrier since 2001, and
18 therefore, has shown it is fit, willing, and able to perform the services of a
19 taxicab motor carrier;
20
21 b. That the proposed geographic expansion of A Cab will be consistent with the
22 legislative policies set forth in NRS 706.151;
23
24 c. That the granting of a certificate reflecting the proposed geographic expansion
25 of A Cab will not unreasonably and adversely affect other carriers operating in
26 the territory for which the certificate is sought;
27
28 d. That the holders of existing certificates will not meet the needs of the territory for
which the certificate is sought if the certificate is not granted; and

1 e. That the proposed service will benefit the public and the taxicab business in the
2 territory to be served.

3 7. ITPE Union voiced opposition to the proposed A Cab geographic expansion on the
4 grounds that there is no need for more medallions in the Airport, Strip, or Downtown
5 corridors.

6 8. Lucky Cab, although it was not a signatory to the above stipulation, voiced its support
7 for A Cab's geographic expansion.

8 CONCLUSIONS OF LAW

9
10 1. Pursuant to NRS 706.8827(2), upon the filing of an application for a certificate of public
11 convenience and necessity, the Taxicab Authority shall fix a time and place for a
12 hearing thereon. The Taxicab Authority shall issue the certificate if it finds that:

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

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

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

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

21 e. The proposed service will benefit the public and the taxicab business in the
22 territory to be served.

23
24 2. Based on the evidence, A Cab has met the statutory criteria set forth in NRS
25 706.8827(2) to modify the language of the geographic scope of its Certificate of Public
26 Convenience and Necessity to reflect the authority to transport passengers and their
27
28

1 luggage between points and places within Clark County, Nevada, as set forth in the
2 Order, below.

3 ORDER

4 THEREFORE, IT IS HEREBY ORDERED that A Cab will be entitled to an amended
5 certificate granting authority to operate throughout Clark County, with the exception of
6 Mesquite, like the other cab companies.

7 IT IS FURTHER ORDERED that A Cab will be entitled to put twelve (12) twenty-four
8 seven medallions immediately in service throughout Clark County, unless specifically
9 exempted;

10 IT IS FURTHER ORDERED that A Cab will be entitled to put four (4) twenty-four seven
11 handivan medallions immediately in service throughout Clark County, with the exception of
12 the Las Vegas Strip from Sahara Avenue to Russell Road, and McCarran Airport. "Las Vegas
13 Strip" includes properties with frontage on Las Vegas Blvd. South between Sahara Avenue
14 and Russell Road, regardless of the physical address of such properties;

15 IT IS FURTHER ORDERED that A Cab will be entitled to put four (4) weekend
16 medallions (2-2, Thursdays to Mondays) immediately in service throughout Clark County, with
17 the exception of the Las Vegas Strip from Sahara Avenue to Russell Road, and McCarran
18 Airport. "Las Vegas Strip" includes properties with frontage on Las Vegas Blvd. South
19 between Sahara Avenue and Russell Road, regardless of the physical address of such
20 properties;

21 IT IS FURTHER ORDERED that those medallions that are restricted to pick up in A
22 Cab's limited area shall stay in A Cab's geographically limited area for fifteen years and A
23 Cab agrees not to apply to expand authority for the limited medallions (except as otherwise
24
25
26
27
28

1 noted in the agreement) to pick up in the resort corridor, commonly known in the taxicab
2 industry as the golden triangle;

3 IT IS FURTHER ORDERED that A Cab shall be entitled to share equally in all future
4 allocations county-wide, both temporary and permanent, and for special events, like the other
5 cab companies without further restriction.

6 Dated this 20th day of November, 2014.

7
8 BY THE AUTHORITY:

9 
10 ILEANA DROBKIN – CHAIRWOMAN
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28