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Service Date: September 30, 2014

Oct. 03 2014

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER of the Petition of	)	
Bull Mountain Sanitation, LLC, for a	)	REGULATORY DIVISION
Declaratory Ruling concerning	)	
exemption From Class D Motor Carrier	)	DOCKET NO. T-14.23.DR
Certificate requirements	)	

**NOTICE OF PETITION AND OPPORTUNITY TO COMMENT**

On September 26, 2014, Bull Mountain Sanitation, LLC (Bull Mountain) filed a *Petition for Declaratory Ruling* (Petition) with the Public Service Commission (Commission) requesting a ruling that, pursuant to Mont. Code Ann. § 69-12-102(1)(c), Bull Mountain’s garbage hauling service is exempt from Class D motor carrier certificate requirements.

Mont. Code Ann. § 69-12-102(1)(c) provides an exemption from Commission jurisdiction for:

the transportation of household goods and garbage by motor vehicle in a city, town, or village with a population of less than 500 persons according to the latest United States census or in the commercial areas of a city, town, or village with a population of less than 500 persons, as determined by the commission.

Bull Mountain asserts in the Petition that it is exempt from Class D motor carrier certificate requirements because it provides garbage hauling service to communities of less than 500 persons. According to the Petition, Bull Mountain hauls garbage from residences, farms and ranches in Musselshell County to designated drop-off sites in Roundup, also in Musselshell County. Allied Waste Services of North America LLC dba Republic Services of Montana contracts with Musselshell County to transport the garbage from the drop-off sites to the Billings landfill. The Petition states that Roundup is the only town in Musselshell County that has a population over 500, according to the 2010

census. Bull Mountain does not provide garbage hauling service within the city limits of Roundup. Bull Mountain's customers are located in the unincorporated rural areas of Musselshell County and in the town of Melstone, which has a population of 96.

A copy of the Petition is available for inspection at the business offices of Bull Mountain, P.O. Box 238, Melstone, Montana 59054, the Commission (address below), and the Montana Consumer Counsel (MCC) (address below). The Petition is also posted on the Commission's website at <http://psc.mt.gov/transportation/>.

Any interested person may file written comments on the Petition with the Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601, no later than October 24, 2014. A hearing on the matter may be requested in writing no later than October 24, 2014, and may be granted by the Commission for good cause.

The MCC, 111 North Last Chance Gulch, Suite 1B, P.O. Box 201703, Helena, Montana 59620-1703, telephone (406) 444-2771, is available and may be contacted to represent the interests of the consuming public in this matter.

The Commission's jurisdiction over this matter is provided at Title 69, Mont. Code Ann. The substantive and procedural law applicable is Title 69, Mont. Code Ann., especially at Ch. 12 (regulation of motor carriers), Title 2, Ch. 4, Mont. Code Ann. (Montana Administrative Procedure Act), and Admin. R. Mont. 1.3.226-230.

**BY THE MONTANA PUBLIC SERVICE COMMISSION**

**W.A. (BILL) GALLAGHER, Chairman**  
**BOB LAKE, Vice Chairman**  
**KIRK BUSHMAN, Commissioner**  
**TRAVIS KAVULLA, Commissioner**  
**ROGER KOOPMAN, Commissioner**