BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2005-140-T – ORDER NO. 2005-257

MAY 20, 2005

IN RE: Application of Guadalupe P. Luna d/b/a El Milagro, 137 N. Pine Street, Batesburg, SC 29006 (District 2) for a Class C Certificate of Public Convenience and Necessity.	))))	ORDER GRANTING CLASS C CERTIFICATE

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application of Guadalupe P. Luna d/b/a El Milagro (the Applicant) for a Class C Certificate of Public Convenience and Necessity, to render motor passenger service as follows:

BETWEEN POINTS AND PLACES IN SOUTH CAROLINA,

RESTRICTED TO: SIX (6) PASSENGERS.

Upon consideration of the Application, the representations contained therein and the documentary evidence attached thereto, the Commission finds that the Applicant is fit, willing and able to perform the service to the public under the authority sought. The Commission also finds that the granting of the Certificate is required by public convenience and necessity. The Commission's review of the Application, and the nature of the taxi cab business,[1] leads this Commission to find that the instant Application should be approved.

---

[1] See, e.g., Order No. 79-26, issued in Docket No. 78-491, IN RE: Application of Right's Transportation Service, Inc., on February 27, 1979.

IT IS THEREFORE ORDERED:

1. That the Application of Guadalupe P. Luna d/b/a El Milagro for a Class C Certificate of Public Convenience and Necessity is hereby approved.

2. That the Applicant file, or caused to be filed, with the Office of Regulatory Staff (ORS) the proper license fees, proof of liability insurance (i.e. "Form E"), and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, and R.38-400 through R.38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

3. That the failure of the Applicant to either (1) complete the certification process by complying with the requirements of filing with the ORS proof of appropriate insurance and the payment of license fees and such other information required by law within sixty (60) days of the date of this Order or (2) request and obtain from the Commission additional time to comply with the requirements stated above, shall result in the authorization approved in this Order being revoked.

4. That upon compliance with the filing of information as required by S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a Certificate shall be issued by the ORS to the Applicant authorizing the motor carrier services granted herein.

5. That prior to compliance with the requirements regarding the filing of certain information with the ORS and receipt of a Certificate, the motor carrier services authorized by this Order may not be provided.

6. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)