

R2-15 PROOF REQUIRED

(a) If the application is for a certificate of exemption to operate as a common carrier of household goods, the applicant shall establish by proof that the requirements of Rule R2-8.1(a)(3) are satisfied.

(b) Repealed.

(c) If the application is for a certificate to operate as a bus company in the transportation of passengers over fixed routes, the applicant shall establish that it is fit, willing and able to provide the transportation to be authorized by the certificate and to comply with the provisions of Chapter 62 of the Public Utilities Act, and that the transportation to be authorized is consistent with the public interest.

In making any findings relating to public interest under section (c) of this Rule, the Commission shall consider, to the extent applicable, (i) the transportation policy of this State as it relates to bus companies under G.S. 62-259.1 and Chapter 62 of the Public Utilities Act; (ii) the value of competition to the traveling and shipping public; (iii) the effect of issuance of the certificate on bus company service and small communities; and (iv) whether issuance of the certificate would impair the ability of any other fixed route carrier of passengers to provide a substantial portion of its fixed route passenger service, except that diversion of revenue or traffic from a fixed route carrier of passengers, alone, shall not be sufficient to support a finding that issuance of the certificate would impair the ability of the carrier to provide a substantial portion of its fixed route passenger service.

(d) Repealed.

(NCUC Docket No. M-100, Sub 75, 10/27/77; NCUC Docket No. M-100, Sub 109, 5/20/86; NCUC Docket No. T-100, Sub 32, 8/23/95; NCUC Docket No. T-100, Sub 44, 11/24/98; NCUC Docket No. T-100, Sub 49, 02/02/04; NCUC Docket No. M-100, Sub 140, 12/03/13.)