



Louisiana Public Service Commission

Located at 602 North Fifth Street; Baton Rouge, LA 70802

Mailing Address PO Box 91154; Baton Rouge, LA 70821

Transportation Division: (888) 342-5717

WASTE BY MOTOR VEHICLE

Procedure and related information for making application to the Louisiana Public Service Commission for a common carrier certificate of waste by motor vehicle for disposal as defined by La RS 45:162. No motor carrier shall operate as a common carrier without having first obtained from the commission a certificate, which shall be issued only after a written application, is made, filed and approved.

APPLICATIONS - PROCESS

Application must be filed in the Commission's office, Galvez Building, 602 N. 5th St., Baton Rouge, Louisiana 70802. (Mailing address is P.O. Box 91154, Baton Rouge, Louisiana 70821-9154.)

The original notarized application must be accompanied by the following:

- A letter from an insurance company (or agent) authorized to do business in Louisiana, stating such company will write the required insurance coverage in the event application is granted;
- Application Filing Fee for a certificate authorizing transportation as a common carrier must be remitted in the amount of **\$200.00** NON-REFUNDABLE
- If applicant is a Louisiana corporation, or a corporation domiciled outside of Louisiana, applicant must provide a copy of their Certificate of Authority from the Louisiana Secretary of State Office, majority stock ownership (by separate statement), the state where incorporated, date of incorporation, Federal Employers Identification Number (FEIN), Agent for Service of Process and list the full legal names of President/Secretary or all Members of said corporation.

Once the completed application has been received by the Commission, it will be docketed with the Records & Recording Division and go through the docketing process as follows:

- Application will be published in the next Official Bulletin for twenty-five (25) days where it may draw opposition and intervention.
- The application will then be assigned to an Administrative Law Judge (ALJ) who will set a Status Conference for all parties to attend to discuss procedural issues and at which time a date will be set for a hearing. At the hearing the applicant will be required to prove fitness by fully satisfying the following requirements:
 - a. All insurance requirements of the commission;
 - b. The applicant has the financial ability to operate all transportation functions authorized by the applied for authority;
 - c. Applicant has obtained all of the necessary permits required by any and all other state and federal agencies for the transportation and disposal of waste;
 - d. Applicant has adequate equipment and man power for hauling and disposal of waste.
 - e. Applicant and its employees have been adequately trained in the safe hauling and disposal of waste.
- Once the hearing has been heard by the ALJ a decision will be made and an order will be issued by the Commission informing the applicant as to the status of their application.
- If application is approved, a letter of compliance will be sent to the applicant advising of filings required prior to the issuance of the certificate as outlined in the General Information section of this packet. Upon completion of these requirements, the authorized certificate will be issued and forwarded to the applicant.

GENERAL INFORMATION

1. INSURANCE

Pursuant to R.S. 45: 163 (D) the commission shall require the following policies of insurance:

Public liability and property damage insurance on trucks operated by common carriers, providing coverage of (\$250,000.00) TWO HUNDRED FIFTY THOUSAND DOLLARS for injury or death to any one person not to exceed (\$500,000.00) FIVE HUNDRED THOUSAND DOLLARS per occurrence, and (\$10,000.00) TEN THOUSAND DOLLARS property damage; (\$510,000.00) FIVE HUNDRED TEN THOUSAND single/combined. These insurance policies shall be written by companies qualified to do business in this state.

The required proof of insurance shall be the filing of a Form E, Bodily Injury and Property Damage Certificate of Insurance, by the Insurance Underwriter of the policy, which must be received thirty (30) days from the date of the compliance letter. The name and address on the Form E and name and address on the application for authority must match exactly.

2. REGISTRATION OF VEHICLES

The Business Entity will be required to submit a "Vehicle Registration Form T-44" and remit a fee of \$10 per vehicle annually.

3. TARIFF (RATES, FARES AND CHARGES)

Common Carriers operate under tariffs filed with and approved by the LPSC, which shows the services to be rendered and the basis for computation of rates. After the carrier's initial filing prior to commencement of operations, all changes must be effected through tariff publications approved by the LPSC. Generally proposed the staff can handle reductions informally, but increases require approval by the LPSC. These increases usually require formal handling, publication in the Commission's Bulletin, and approval before the Commissioners at the Business and Executive Meeting.

Initial Tariff should contain the following information:

- Complete name and address of company
- Specific information for rates charged indicating a flat rate, hourly rate, etc., when charging hourly, indicate times when charges begin and end.
- If rates are based on mileage, the official Louisiana highway map must be used.
- Fuel surcharges must be stated in the tariff. If you wish to use the LPSC approved fuel surcharge please state that in the tariff. A copy can be found on our website: http://lpsc.louisiana.gov/regs3_motor.aspx

4. MERGER OF DUPLICATE OPERATING RIGHTS

"No motor carrier shall be permitted to hold more than one certificate granting the same authority in the same territory or over the same route. When a motor carrier holding operating authority acquires by purchase or leases another similar authority, the two shall be merged into one and both authorities reissued to the carrier as one. Should a certificate holder acquire additional rights which overlap the rights already held by him to some extent, that portion of the rights which overlap his original rights shall be merged into the original grant of authority."

5. SUSPENSION OF AUTHORITY OR CHANGES TO COMPANY INFORMATION

Suspension - If a carrier's business will be dormant for a short period of time, they may request a suspension of authority in writing. The letter must give detail as to why the business is dormant, before the LPSC will consider granting such a request.

Changes To Company Information - If a carrier's company information, such as name, address, contact information or any other relevant information, changes it is the CARRIERS responsibility to make those changes with the Commission in writing using the proper forms which may be obtain by contacting the LPSC's main office.

6. ANNUAL REPORTS AND INSPECTION AND SUPERVISION FEE (ISF) QUARTERLY REPORTS

All intrastate carriers subject to regulation by the LPSC are **REQUIRED** to file Annual Reports with the Transportation Division as stated in the Commission's General Order No. 2, dated July 1, 1921. Furthermore motor carriers under the jurisdiction of the LPSC are also **ASSESSED** Inspection and Supervision fees which are collected by the Department of Revenue pursuant to La. R.S. 45: 1177-1179. More detailed information will be provided with your Common Carrier Certificate.

7. OWNER/OPERATOR LEASES

Any utilization of owner/operators by a certificated common carrier will require the carrier place on file, prior to transportation and for duration of the lease period, a statement that owner/operators vehicle(s) is covered by and operating under the carrier's insurance. This statement must contain the owner/operators name, address and description of covered vehicles. The lease must be in writing, properly executed in quadruplicate.

One copy is to be held by lessor, one by lessee, one must be immediately filed with the LPSC (along with a filing fee of \$10.00 per owner/operator lease), and one carried in the vehicle. (Web link to "Intrastate Leasing Rules" http://lpsc.louisiana.gov/regs3_motor.aspx)



LOUISIANA PUBLIC SERVICE COMMISSION

PO Box 91154; Baton Rouge, LA 70821

(888) 342-5717 or (225) 342-4439

WASTE BY MOTOR VEHICLE APPLICATION

Applicant desires to secure from the Louisiana Public Service Commission a Common Carrier Certificate authorizing applicant to operate as a COMMON CARRIER OF WASTE BY MOTOR VEHICLE OVER IRREGULAR ROUTES STATEWIDE.

(Please check all types of waste you desire to acquire in this application below)

Form with three checkboxes: Non-hazardous oilfield wastes, Non-hazardous industrial solid waste, Hazardous waste.

BUSINESS ENTITY'S INFORMATION

SECTION 1

Main application form containing fields for Business Entity Name, DBA, Authorized Representative, Business Address, Mailing Address, Telephone/Fax/Cell numbers, Email Address, FEIN/SS#, Ownership type, and Company Tax Reporting Year.

REPRESENTATION OF APPLICANT

SECTION 2

If Applicant is represented by legal counsel or if this application is being filed by legal counsel please provide the following:

| | | |
|---|---------------------------|----------------------------|
| LEGAL COUNSEL'S NAME & FIRM NAME | | |
| Mailing Address: | | |
| City: | State: | ZIP Code: |
| Telephone # (Include Area Code) | Fax # (Include Area Code) | Cell # (Include Area Code) |
| Email Address (Optional): | | |

EQUIPMENT, TERMINALS AND SERVICE OF PROCESS

SECTION 3

Applicant proposes to commence operations with the following equipment: (Please print MAKE, TYPE, and NUMBER OF UNITS proposed to be operated.) If additional space is needed, attach a separate sheet.

Applicant proposes to commence operations from the following LOUISIANA TERMINAL/LOCATION(S):
Address other than those listed in Business Entity Information Section 1 (If additional space is needed, attach a separate sheet listing each location)

Additional location address:

| | | |
|-------|--------|-----------|
| City: | State: | ZIP Code: |
|-------|--------|-----------|

OUT OF STATE CARRIERS MUST LIST AGENT FOR SERVICE OF PROCESS BELOW Any carrier domiciled outside of Louisiana and providing the intrastate transportation of waste for disposal in Louisiana shall register the company's name, address and telephone number with the Louisiana secretary of state and the Louisiana Public Service Commission. Service of process with respect to all civil, criminal, or administrative proceedings brought before any court or administrative agency located in the state may be served on the registered agent as filed with the Louisiana secretary of state by any means provided by the applicable rules or procedure for that court or agency providing service of process.

Agent For Service Of Process Name

Mailing Address:

| | | |
|-------|--------|-----------|
| City: | State: | ZIP Code: |
|-------|--------|-----------|

VERIFICATION

SECTION 4

STATE OF _____ PARISH/COUNTY OF _____

BEFORE ME, the undersigned authority, _____ (Applicant)
who represents _____ (Business Entity)
personally came and appeared, who, after being duly sworn, did depose and say that he/she is the APPLICANT in
the above application; that he/she desires to secure from the Louisiana Public Service Commission a Common
Carrier Certificate, authorizing the applicant to operate as a carrier of **Waste** as stated; and that he/she has read
same and is familiar with the contents thereof and that facts as stated therein are true and correct, and to the best of
his/her knowledge. FURTHERMORE, APPLICANT agrees to comply with all provisions of law and the rules and
regulations of the Louisiana Public Service Commission respecting the operation of public service motor vehicles,
and to file with the Commission a tariff which shows the services to be rendered and the basis for computation of
rates, schedules and other required data; and to file such evidence of insurance or bonds as required by law and by
the rules and regulations of the Louisiana Public Service Commission prior to commencement of operations.

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20____

PRINTED NAME OF **APPLICANT**

PRINTED NAME OF **NOTARY PUBLIC**

SIGNATURE OF APPLICANT

SIGNATURE OF NOTARY PUBLIC
(including Notary Seal & Number)

LPSC OFFICE USE ONLY

Accepted by Staff _____ Date _____

DOCKET # _____ PUBLISHED IN BULLETIN # _____ ON _____
Date