

M.C. 1 (2003)

**IN THE MATTER OF THE INTENDED
CANCELLATION OF MOTOR CARRIER
CERTIFICATE NO. 3574 PURSUANT
TO S. 16(1) OF THE MOTOR CARRIER ACT,
R.S.N. 1990, CHAPTER M-19 (THE "ACT")**

AND

**IN THE MATTER OF A HEARING INTO
SUCH INTENDED CANCELLATION AT
THE REQUEST OF THE CERTIFICATE
HOLDER FEWER'S HOLDINGS LTD.
PURSUANT TO S. 16(2) OF THE ACT**

AND

IN THE MATTER OF ORDER NO. M.C. 3 (2002-2003)

WHEREAS on the 24th day of July, 2002, the Board conducted a hearing into the cancellation of Motor Carrier Certificate No 3574 issued in the name of Fewer's Funeral Home Ltd.; and

WHEREAS on September 16th, 2002, the Board issued Order Number M.C. 3 (2002-2003) (the "Order"); and

WHEREAS the Order stated that Motor Carrier Certificate No. 3574 shall be amended to indicate Fewer's Holdings Ltd., formerly Fewer's Funeral Home Ltd., as the named holder thereof; and

WHEREAS the Order required Fewer's Holdings Ltd. to provide the Board on or before the 31st of December 2002 with evidence which would satisfy the Board that:

- a. Fewer's Holdings Ltd. has commenced full control, management and operation of the ambulance service authorized by the Certificate; and
- b. Fewer's Holdings Ltd. has effected full compliance with Regulation 36 in respect of all ambulances which shall be operated by Fewer's Holdings Ltd. as of the 30th day of November, 2002; and

WHEREAS the Order further stated that in the event that Fewer's Holdings Ltd. failed to establish to the satisfaction of the Board on or before December 31, 2002 those matters set out previous, Motor Carrier Certificate No. 3574 shall be cancelled with effect from the 31st day of January, 2003; and

WHEREAS, as of the 31st day of January 2003, Fewer's Holdings Ltd. has failed to comply with the requirements set out in Order; and

WHEREAS Fewer's Holdings Ltd has made an application to extend the time for compliance with certain provisions of the Order; and

WHEREAS all parties have consented to the extension of the time set out in the Order.

IT IS THEREFORE ORDERED THAT:

1. The time set out in the Order with respect to Fewer's Holdings Ltd. establishing that it has full control, management and operation of the ambulance service, and complied with Regulation 36 under the Motor Carrier Act, shall be extended to March 14, 2003; and
2. The time set out in the Order for the effective date of cancellation of Motor Carrier Certificate No. 3574 upon the failure of Fewer's Holdings Ltd. to satisfy the provisions of the Order shall be extended to April 11, 2003.

DATED at St. John's, Newfoundland and Labrador, this 31st day of January, 2003.

J William Finn, Q.C.,
Commissioner

Raymond A. Pollett,
Commissioner.

Cheryl Blundon
Director of Corporate Services
and Board Secretary