

**M.C. 4 (2003)**

**IN THE MATTER OF THE APPLICATION BY  
EMERGENCY MEDICAL SERVICE NF LIMITED. FOR  
A MOTOR CARRIER CERTIFICATE TO PROVIDE  
AMBULANCE SERVICE TO CERTAIN TERRITORIES  
PURSUANT TO SECTION 7 OF THE MOTOR CARRIER  
ACT, R.S.N. 1990, CHAPTER M-19 (THE “ACT”)**

**AND**

**IN THE MATTER OF A HEARING INTO  
SUCH APPLICATION PURSUANT TO  
SECTION 9 OF THE ACT**

**WHEREAS** on April 27, 2001 Emergency Medical Services NF Limited submitted an application for a Motor Carrier Certificate to provide ambulance service in certain areas of the province which were currently being serviced by Emergency Medical Services NF Limited (the “Application”);

**WHEREAS** following publication of notice in the Newfoundland Gazette and after receiving several objections to the Application the Board determined that it would hold a hearing into the Application;

**WHEREAS** on May 3, 2002 the Board advised the parties that this matter would be heard beginning on May 23, 2003 together with a hearing into two other matters which the Board determined were related, being (1) the proposed cancellation of Motor Carrier Certificate No. 3574; and (2) an application by another related corporation to service a portion of the territory covered by Motor Carrier Certificate No. 3574;

**WHEREAS** on July 24, 2002, at the hearing, the parties consented to the Board issuing an order in this matter without the necessity of hearing further evidence pending the outcome of the hearing into the intended cancellation of Motor Carrier Certificate No. 3574;

**WHEREAS** the Board did not cancel Motor Carrier Certificate No. 3574 as a result of the hearing;

**AND WHEREAS** the Board is satisfied that it is not necessary nor reasonable to grant the Application given that the current Motor Carrier Certificate No. 3574 includes the territories sought to be covered by this Application and further that the Applicant agreed that it would not proceed with this Application if Motor Carrier Certificate No. 3574 was not cancelled.

**IT IS THEREFORE ORDERED THAT:**

1. The application of Emergency Medical Services NF Limited is hereby dismissed.
2. Emergency Medical Services NF Limited shall be responsible for and shall pay to the Board forthwith all costs incurred by the Board in connection with the within hearing.

**DATED** at St. John's, Newfoundland and Labrador, this 9<sup>th</sup> day of May 2003.

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J William Finn, Q.C.,  
Commissioner.

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Raymond A. Pollett,  
Commissioner.

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Cheryl Blundon,  
Director of Corporate Services  
and Board Secretary.