

R1-11 PROTESTS TO MOTOR CARRIER APPLICATIONS

(a) Contents. — Any person or carrier without specific leave to intervene may protest any motor carrier application for operating rights to transport passengers or household goods, or to an application for approval of a sale, lease, or a merger of motor carrier operating rights of household goods or passengers, upon the filing of a protest, under oath, showing that the protestant has an interest in the subject matter of the application, which protest shall set forth, among other things:

- (1) A brief but definite description of the operating rights or of other rights or interests of the protestant which will be adversely affected by the granting of the application.
- (2) The particular way and manner and the probable extent to which the protestant will be adversely affected by the granting of the application, and if the application is for operating rights (for a certificate) to transport passengers or household goods, and the protestant is a carrier, the protest shall contain information of the kind and in substantially the form and detail shown by the following illustration:

ILLUSTRATION: That the granting of the application will authorize a transportation service in competition with the transportation service which the Commission has authorized the protestant to perform under (certificate number ...), in that, transportation service of the same kind and class may be provided either by the applicant or by the protestant to, from, and between the following points and places:

- (1) On U.S. Highway 64 between Lexington and Raleigh.
- (2) On U.S. Highway 220 between Greensboro and Rockingham.
- (3) On N.C. Highway 49 between Concord and Burlington.
- (4) To, from, and between all points and places in the counties of Montgomery, Moore, Randolph and Davidson.

(b) Time for Filing. — Protests, as herein provided, must be filed with the Commission (original and three (3) copies) not less than ten (10) days prior to the date fixed for the hearing; provided, the notice of hearing may fix the time for filing protests, in which case such notice shall govern. All protests shall be signed and verified as provided in Rule R1-5, and shall certify that a copy thereof has been delivered or mailed to the applicant or to applicant's attorney, if any.

(NCUC Docket No. M-100, Sub 56, 5/24/74; NCUC Docket No. T-100, Sub 32, 8/23/95; NCUC Docket No. M-100, Sub 128, 11/30/01.)