



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

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May 13, 2013

Louis V. Csoka, Esq.
COOPER LEVENSON
6060 Elton Avenue, Suite A
Las Vegas, Nevada 89107-0126

Re: Open Meeting Law Complaint / AG File No. 13-007
Nevada Transportation Authority

Dear Mr. Csoka:

We have reviewed an Open Meeting Law (OML) complaint filed with this office on behalf of your client, Livery Operator's Association (LOA). The complaint alleged that Nevada Transportation Authority (Authority), a public body subject to the Open Meeting Law (NRS 241), acted in violation of the OML on an application for approval of the sale and transfer of the Certificate of Public Convenience and Necessity (CPCN 2016, sub 2) (*see* Docket No. 12-09-019; September 23, 2013). It is alleged the Authority acted to approve the sale and transfer without notice of such action in a public meeting – which is a potential violation of NRS 241.020 and various statutes in NRS 706. On January 10, 2013, Evergreen Trails, Inc. received the CPCN 2016 Sub 2.

We asked the Authority for an explanation including statements from each Commissioner addressing the allegation in your complaint.

We reviewed statements from each Commissioner. Each commissioner's written and signed statement denied taking any further action on Evergreen's application following its September 23, 2012, action to table the application and assign a hearing

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officer to hear the matter. Each Commissioner stated he or she had not deliberated, or corresponded with each other or taken any action on this matter outside of a legally publicly noticed open meeting. Each Commissioner stated his or her belief that the issuance of CPCN 2016, sub 2, was through staff under the oversight of the assigned hearing officer.

We do not find a violation of NRS 241.020.

We are closing our file on this matter.

Sincerely,
CATHERINE CORTEZ MASTO
Attorney General

By:


GEORGE H. TAYLOR
Senior Deputy Attorney General
Open Meeting Law
(775) 684-1230

GHT/mh

cc: David Newton, Sr. DAG, Counsel to NTA Commission members
Nevada Transportation Authority Commission:
Andrew J. Mackay, Chairman
George Assad, Commissioner
Monica B. Metz, Commissioner