

Agenda Item# 84

**Additional material provided
after initial posting of
supporting material but prior to
meeting.**

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AUG 19 2021
Nevada Transportation Authority
Las Vegas, Nevada

1 JTB Americas, Ltd. More specifically, JTB Americas as the parent company of Lassen Tours and
2 SPTNV seek retroactive approval of an internal transfer of interest whereby JTB Americas will be
3 recognized as the sole shareholder of Sunrise Plaza. See, NAC 706.1375.

4 Shortly thereafter, on November 30, 2020, Applicants Jack and Judy Swen (Sellers) and
5 JTB USA, Inc. (Buyer) filed a joint ex post facto application with the NTA requesting authority for
6 the Sellers to sell and transfer and Buyer to purchase and acquire 30% of the stock of Lassen Tour
7 and Travel, Inc. ("Lassen"). Lassen is the 100% owner of SPTNV, a common motor carrier
8 authorized to provide transportation services within the State of Nevada under Certificate of Public
9 Convenience and Necessity ("CPCN") 2028. Said application was designated as Docket 20-11020.
10

11 On or about March 19, 2021, SPTNV and JTB Americas filed amendments to the subject
12 Application (Docket 20-11021) in response to the retirement of Mr. Gido Kido, and the
13 corresponding appointment of Mr. Shigeyuki Suzuki as the Chairman of the Board of JTB
14 Americas. Thereafter, Mr. Suzuki was instructed to submit his fingerprints to the Nevada Dept. of
15 Public Safety as part of the background investigation. To date, this aspect of the background
16 investigation has not been completed¹.
17

18 In addition to Mr. Suzuki's background investigation the NTA has yet to complete the
19 required Compliance Investigations for the respective Dockets. This is due, in part, to the complex
20 nature of JTB's corporate structure coupled with the fact that since March 2020, Sunrise Plaza has
21 been under a temporary discontinuance of services. Recognizing that a critical component of the
22 application process is the Compliance investigation, which has not been completed, SPTNV
23 respectfully submits this Motion requesting the Authority's consideration of the subject
24 Applications.
25

26 ¹ Mr. Suzuki has submitted his fingerprint to DPS however the prints have been deemed to be "unreadable." As such
27 Mr. Suzuki plans to submit a new set of fingerprints.
28

1 In support of the request set forth herein, SPTNV and the related Applicants submit that the
2 public interest as well as the safety of the traveling public will not be negatively impacted should
3 the Authority approve the Applications. Primarily, because SPTNV remains under temporary
4 discontinuance of service and will not be authorized to return to service until an operational
5 inspection has been completed. Thereby, allowing NTA Staff to complete the requisite
6 Compliance Investigation.

7
8 Additionally, Applicant's note the fact that the approvals sought are *ex post facto* in that
9 both transactions have previously occurred. Thus, the intent of both Applications is to request
10 recognition of an internal transfer/restructuring of the JTB corporation. As such, there are no
11 material changes to SPTNV's operations as a common motor carrier.

12 For the reasons set forth herein, Applicant's request the Authority's consideration and
13 approval of these Applications and agree to the not resume transportation services in Nevada until
14 the Compliance Investigation has been completed and no areas of concern having been identified.
15

16 II. 17 CONCLUSION

18 Based on the arguments set forth herein Applicant's respectfully request the NTA's
19 consideration and approval of the Joint Applications to Sale and Transfer CPCN 2028 otherwise
20 referred to as Dockets 20-11020 and 20-11021.

21 DATED this 18th day of August, 2021.

22 COOPER LEVENSON, P.A.

23 /s/Kimberly Maxson-Rushton

24 Kimberly Maxson-Rushton, Esq.
25 Nevada Bar No. 5065
26 3016 W. Charleston Boulevard, #195
27 Las Vegas, NV 89102
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2 **CERTIFICATE OF SERVICE**

3 I HEREBY CERTIFY that on the 18th day of August, 2021, I did deposit for mailing in the
4 United States mail at Las Vegas, Nevada, a true and correct copy of the above and foregoing
5 MOTION REQUESTING CONSIDERATION OF DOCKETS 20-11020 and 20-11021 in a sealed
6 envelope with first class postage fully prepaid thereon, addressed to:
7

8
9 Louis Csoka, Deputy Attorney General
10 Office of the Attorney General
11 555 E. Washington Ave., Suite 390
12 Las Vegas, NV 89101

13 /s/Theresa Rutkowski
14 An employee of COOPER LEVENSON
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