

(Decision No. C96-1116)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF QUEEN CITY)
TRANSPORTATION, INC., DOING)
BUSINESS AS 7NEWSSKIEXPRESS, FOR)
TEMPORARY AUTHORITY TO CONDUCT) DOCKET NO. 96A-438CP-TA
OPERATIONS AS A COMMON CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
)

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: October 28, 1996
Adopted date: October 16, 1996

I. BY THE COMMISSION:

A. Statement, Findings, and Conclusion

1. On October 2, 1996, Queen City Transportation, Inc., doing business as 7NEWSSKIEXPRESS, filed an application (Docket No. 96A-438CP-TA) for temporary authority to conduct operations as a common carrier by motor vehicle for hire for the transportation of passengers and their baggage, on schedule, between points in the Counties of Denver, Adams, Arapahoe, Jefferson, and Boulder, State of Colorado, on the one hand, and, on the other hand, the following ski areas: Winter Park, Loveland, Keystone, Copper Mountain, and Vail. This application is restricted (1) against providing transportation services to or from Denver International Airport in Denver, Colorado; and (2) to the use of vehicles with a seating capacity of 32 passengers or greater, excluding the driver.

2. The Commission gave notice of the application on October 7, 1996. No interventions opposing a grant of the application were filed.

3. By § 40-6-120, C.R.S., the application for temporary authority is under consideration for a Commission order.

4. Pursuant to § 40-6-120(1), C.R.S., the Commission is authorized to grant temporary authority when there appears to be an immediate and urgent need to any point or within a territory having no carrier service capable of meeting such need.

5. The support filed on behalf of this application indicates that between the months of December and March of last winter the traffic volume passing through Eisenhower tunnel along Interstate 70 reached nearly three million motor vehicles. There are no other carriers currently providing scheduled services between the Denver metropolitan area and the ski areas of Winter Park, Loveland, Keystone, Copper Mountain, and Vail. In light of these facts, and with the impending ski season being nearly upon us, the Commission finds that there is an immediate and urgent need for the requested transportation services. The application for temporary authority will be granted.

6. The Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority sought and is willing, ready, and able to operate under all Commission rules and regulations governing carriers by motor vehicle.

7. This application for temporary authority is in the public interest and should be granted.

8. The Applicant is advised that the granting of a temporary authority makes no presumption that permanent authority will be granted.

II. ORDER

A. The Commission Orders That:

1. Queen City Transportation, Inc., doing business as 7NEWSSKIEXPRESS, is granted temporary authority to conduct operations as a common carrier by motor vehicle for hire for a period of 180 days commencing from the effective date of this Order, with authority as set forth in the attached Appendix.

2. Queen City Transportation, Inc., doing business as 7NEWSSKIEXPRESS, shall not commence operation until all requirements have been met and notice in writing has been received from the Commission that the Applicant is in compliance and may begin service. If the Applicant does not comply with the requirements of this ordering paragraph within 30 days of the effective date of this Order, then ordering paragraph 1 above, which grants authority to the Applicant, shall be void, and the authority granted shall then be void. On good cause shown, the Commission may grant additional time for compliance, if the request for additional time is filed within the 30 days.

3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this decision.

B. This Order is effective on December 1, 1996.

C. ADOPTED IN OPEN MEETING October 16, 1996.

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ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT J. HIX

Bruce N. Smith
Director

VINCENT MAJKOWSKI

R. BRENT ALDERFER

Commissioners

Appendix
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Docket No. 96A-438CP-TA
October 16, 1996

Transportation of passengers and their baggage, on schedule,

between points in the Counties of Denver, Adams, Arapahoe, Jefferson, and Boulder, State of Colorado, on the one hand, and, on the other hand, the following ski areas: Winter Park, Loveland, Keystone, Copper Mountain, and Vail.

This **temporary authority** is restricted as follows:

- A. Against providing transportation services to or from Denver International Airport in Denver, Colorado; and
- B. To the use of vehicles with a seating capacity of 32 passengers or greater, excluding the driver.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 96A-438CP-TA
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I, Bruce N. Smith, Director of The Public Utilities Commission of the State of Colorado, certify that I served a true and correct copy of the above Commission Decision -- entered in the above numbered matter of record -- upon each of the persons whose names and addresses appear below, by mailing the same in sealed envelopes properly addressed, with sufficient postage prepaid to carry the same to its destination on the date noted on this certificate at Denver, Colorado.

APPLICANT:

Queen City Transportation, Inc.
dba 7NEWSSKIEXPRESS
5974 Marion Drive, Unit A
Denver, CO 80216

APPLICANT'S ATTORNEY:

Dale E. Isley, Esq.
WILLIAMS & ISLEY, P.C.
1225 Mellon Financial Center
1775 Sherman Street
Denver, CO 80203

ROUTE:

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6-Docketing
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10.1
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31 (2 copies)
40 (5 copies)
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Black Book
Operating Rights Unit
DMS (plus certificate)

ORDER-AJX

WITNESS MY HAND AND THE SEAL OF
THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

BRUCE N. SMITH
DIRECTOR