

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF FOUR WINDS,)
INC., DOING BUSINESS AS PEOPLE'S)
CHOICE TRANSPORTA- TION, INC.,)
FOR TEMPORARY AUTHORITY TO) DOCKET NO. 95A-486CP-
EXTEND OPERATIONS UNDER) EXTENSION-TA
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY PUC)
NO. 48716.)

**COMMISSION ORDER DENYING
TEMPORARY AUTHORITY**

Mailed date: November 1, 1995
Adopted date: November 1, 1995

I. BY THE COMMISSION:

Statement Findings, and Conclusion

1. On October 10, 1995, Four Winds, Inc., doing business as People's Choice Transportation, Inc., filed an application (Docket No. 95A-486CP-Extension-TA) for temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 48716 to include the transportation of passengers and their baggage, in scheduled service, between the facilities of the Best Western Denver West Hotel, located at 11595 West 6th Avenue, Lakewood, Colorado, on the one hand, and points within Black Hawk and Central City,

Colorado, on the other hand.

2.The Commission gave notice of the application on October 16, 1995. Interventions opposing a grant of the application were filed by Casino Transportation, Inc., Boulder Airporter, Inc., Golden West Commuter, LLC, and Valera Lea Holtorf, doing business as Dashabout Shuttle Company and/or Roadrunner Express "(Dashabout)".

3.Dashabout holds no authority to provide service to or from points in Black Hawk or Central City, Colorado, and as such, it does not have standing to intervene in this application. Dashabout's intervention should be dismissed.

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.It cannot be found that there is an unmet immediate and urgent need for the proposed service. There

are existing carriers, which have not been approached, who are capable

of providing the requested service.

6.The Commission finds due to the facts stated in paragraph 5 above, there is no immediate and urgent need for additional transportation services. The Commission will deny the application.

7.This application for temporary authority is not in the public interest and should be denied.

II. ORDER

A.The Commission Orders That:

1. This application is denied.

2.The intervention of Valera Lea Holtorf, doing business as Dashabout Shuttle Company and/or Roadrunner Express, is dismissed for lack of standing to intervene.

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 its Mailed Date.

ADOPTED IN OPEN MEETING November 1, 1995.

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ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT J. HIX

Bruce N. Smith
Director

CHRISTINE E.M. ALVAREZ

VINCENT MAJKOWSKI

Commissioners

ORDER-AFA

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 95A-486CP-EXTENSION-TA
DECISION NO. C95-1096
(Page 1 of 2 Pages)

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:

Four Winds, Inc.
dba People's Choice
Transportation, Inc.
5455 East 52nd Avenue
Commerce City, CO 80022

APPLICANT'S ATTORNEY:

Jack P. Wolfe, Esq.
512 North Terry Street
Longmont, CO 80501

INTERVENOR:

Casino Transportation, Inc.
251 Rooney Road
Golden, CO 80402

INTERVENOR'S (CASINO) ATTORNEY:

James A. Beckwith, Esq.
Suite No. 7
7910 Ralston Road
Arvada, CO 80002

INTERVENOR:

Boulder Airporter, Inc.
2560 49th Street
Boulder, CO 80301

INTERVENOR'S (AIRPORTER) ATTORNEY:

Mark W. Williams, Esq.
BERRYHILL, CAGE & NORTH, P.C.
Suite No. 600
1401 17th Street
Denver, CO 80202

INTERVENOR:

Golden West Commuter, LLC
P. O. Box 1171
Golden, CO 80401

INTERVENOR'S (GOLDEN) ATTORNEY:

Richard J. Bara, Esq.
Suite No. 315
1155 Sherman Street
Denver, CO 80203

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

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BRUCE N. SMITH
DIRECTOR

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 95A-486CP-EXTENSION-TA
DECISION NO. C95-1096
(Page 2 of 2 Pages)

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.

INTEREST PARTY:

Valera Lea Holtorf
dba Dashabout Shuttle Company
and/or Roadrunner Express
Buffalo Springs Ranch
Akron, CO 80720

ROUTE:

1, 2, 3, 4, 6-Docketing, 9,
10, 20, 21, 30, 31/2 copies,
40/5 copies, 50, 60, Black Book,
Text Management,
Operating Rights Unit,
DMS (plus certificate),

ORDER-AFA

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

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BRUCE N. SMITH
DIRECTOR