

Decision No. C99-1096

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 99A-461BP-TA

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THE APPLICATION OF MIDTOWN EXPRESS, INC., FOR TEMPORARY AUTHORITY TO CONDUCT OPERATIONS AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

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**COMMISSION ORDER GRANTING  
TEMPORARY AUTHORITY**

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Mailed Date: October 8, 1999  
Adopted Date: October 8, 1999

**I. BY THE COMMISSION:**

**A. Statement, Findings, and Conclusion:**

1. On September 21, 1999, Midtown Express, Inc., filed an application (Docket No. 99A-461BP-TA) for temporary authority to conduct operations as a contract carrier by motor vehicle for hire, for the transportation of passengers and their baggage, between all points in the area comprised of the counties of Adams, Arapahoe, Denver, Douglas, and Jefferson, State of Colorado. This application is restricted to providing service for only Arapahoe County Transportation Services.

2. The Commission gave notice of the application on September 27, 1999. 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 Arapahoe County Transportation Services has an immediate need for a contract carrier because other carriers, including three common carriers, cannot meet existing trip requests with the quality service needed for client children, elderly, and handicapped residents.

6. The Commission finds due to the facts stated in paragraph 5 above, there is an immediate and urgent need for additional transportation services.

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

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

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

## II. ORDER

### **A. The Commission Orders That:**

1. Midtown Express, Inc. is granted temporary authority to conduct operations as a contract carrier for a period of 180 days commencing from the mailed date of this Order, with authority as set forth in the attached Appendix.

2. Midtown Express, Inc., 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.

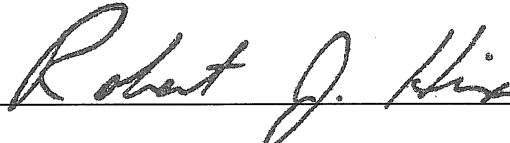
3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this decision.

4. This Order is effective on its Mailed Date.

B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING October 8,  
1999.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners

COMMISSIONER VINCENT MAJKOWSKI ABSENT

APPENDIX  
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October 08, 1999

Transportation of passengers and their baggage, between all points in the area comprised of the counties of Adams, Arapahoe, Denver, Douglas, and Jefferson, State of Colorado.

This **temporary permit** is restricted to providing service for only Arapahoe County Transportation Services.