

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

THE APPLICATION OF GAMBLER'S )	
EXPRESS, INC., FOR TEMPORARY )	
AUTHORITY TO EXTEND OPERATIONS )	DOCKET NO. 92A-196CP-
UNDER CERTIFICATE OF PUBLIC )	EXTENSION-TA
CONVENIENCE AND NECESSITY PUC )	
NO. 48419. )	
-----	

**COMMISSION ORDER GRANTING  
TEMPORARY AUTHORITY**

-----  
Mailed date: June 18, 1992  
Adopted date: June 11, 1992  
-----

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On May 15, 1992, Gambler's Express, Inc., filed Docket No. 92A-196CP-Extension-TA for temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 48419 for the transportation of passengers and their baggage, on schedule, between points in Central City and Black Hawk, Colorado and points within a two-mile radius of each, on the one hand, and points in the following areas of Denver, Colorado, on the other hand: (A) beginning at the intersection of 16th and Broadway, thence north along Broadway to 23rd Avenue, thence northwest along 23rd/31st Avenue to the Platte River, thence southwest along the Platte River to 16th Street, thence southeast along 16th street to the point of beginning; (B) beginning at the intersection of Colfax Avenue and Speer Boulevard, thence north along Speer Boulevard to I-25, thence south along I-25 to Colfax Avenue, thence east along Colfax Avenue to the point of beginning; and (C) Stapleton International Airport. Restricted to the use of vehicles with a passenger seating capacity of 20 or less plus the driver. Further restricted to serving points named in the carrier's published schedule.

2. The Commission gave notice of the application on May 26,

1992.

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

4. Section 40-6-120(1), C.R.S., authorizes the Commission 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on behalf of this application states that the present vehicle restriction in item 2 of Applicant's authority should be rescinded since the use of passenger buses with a seating capacity of 21 or more passengers, plus the driver, is inefficient and uneconomical since Applicant has experienced traffic patterns which indicate that a majority of the times that Applicant has picked up passengers from the downtown, northwest, and Stapleton International Airport areas to Black Hawk and Central City, the number of passengers has been well below 21. Applicant further states that the required use of vehicles with a built-in overcapacity is costly and requires it to incur unnecessary expenses which they cannot economically absorbed.

6. The Commission finds due to the facts stated in paragraph 5 above, there is an immediate and urgent need. Therefore, the Commission will grant the application.

7. 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.

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 makes no presumption that permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Gambler's Express, Inc. is granted temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 48419 for a period of 180 days commencing from the mailed date of this order, with authority as set forth in the attached Appendix.

- 2 -

2. Gambler's 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.

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 date of mailing.

DONE IN OPEN MEETING on June 11, 1992.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

---

---

Commissioners

CHAIRMAN ARNOLD H. COOK ABSENT.

ORDER-FO

Appendix A  
Page 1 of 1 page  
Decision No. C92-773  
Docket No. 92A-196CP-  
Extension-TA  
June 11, 1992

Transportation of

passengers and their baggage, on schedule,

between points in Central City and Black Hawk, Colorado and points within a two-mile radius of each, on the one hand, and points in the following areas of Denver, Colorado, on the other hand: (A) beginning at the intersection of 16th and Broadway, thence north along Broadway to 23rd Avenue, thence northwest along 23rd/31st Avenue to the Platte River, thence southwest along the Platte River to 16th Street, thence southeast along 16th Street to the point of beginning; (B) beginning at the intersection of Colfax Avenue and Speer Boulevard, thence north along Speer Boulevard to I-25, thence south along I-25 to Colfax Avenue, thence east along Colfax Avenue to the point of beginning; (C) Stapleton International Airport.

Restricted to the use of vehicles with a passenger seating capacity of 20 or less, plus the driver. Further restricted to serving points named in the carrier's published schedule.

ORDER-FO

APPLICANT:

Gambler's Express, Inc.  
P. O. Box 6974  
Denver, CO 80206

APPLICANT'S ATTORNEY:

John E. Archibold, Esq.  
KELLY, STANSFIELD & O'DONNELL  
1225 - 17th Street, Suite No. 2600  
Denver, CO 80202

MISCELLANEOUS:

Brad Mallon, Director  
Office of Policy & Research  
Dept. of Regulatory Agencies  
1560 Broadway, Suite No. 1550  
Denver, CO 80202

ROUTE:

1	50
2	60
3	Black Book
4	Text Management
4.1	Operating Rights Unit
6-Docketing	DMS (plus certificate)
9	ORDER-FO
10	
15	
20	
30	
31 (5 copies)	
40 (7 copies)	