

(Decision No. C95-612)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF CASINO)	
TRANSPORTATION, INC. FOR)	
TEMPORARY AUTHORITY TO EXTEND)	DOCKET NO. 95A-252CP-
OPERATIONS UNDER CERTIFICATE OF)	EXTENSION-TA
PUBLIC CONVENIENCE AND NECESSITY)	
PUC NO. 52393.)	

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: June 29, 1995
Adopted date: June 28, 1995

I. BY THE COMMISSION:

A. Statement

1. On June 1, 1995, Casino Transportation, Inc. filed an application (Docket No. 95A-252CP-Extension-TA) for temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 52393 by removing the certificate's only restriction, which

reads as follows:

This certificate is restricted against service to or from points located within a 1/2-mile radius of the intersection of Bowles Avenue and South Wadsworth Boulevard.

2. The Commission gave notice of the application on June 12, 1995.

An intervention opposing a grant of the application

was filed by Four Winds, Inc., doing business as People's Choice Transportation, Inc.

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

B. Findings of Fact

1. 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."

2. The support filed on behalf of this application indicates that with the cessation of service by Blackjack Shuttle Express, Inc. to Southwest Plaza there is no longer carrier service provided between this area and the Cities of Central City and Black Hawk, Colorado.

3. The intervenor correctly states that it is authorized to provide service to the area in question; however, it has never filed a time schedule to do so and is not presently capable of providing scheduled service to the requested area.

C. Conclusion

1. The Commission finds due to the facts stated in paragraphs 2 and 3 above, there is an immediate and urgent need for additional transportation services. The Commission will grant the application.

- 2.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.
- 3.This application for temporary authority is in the public interest and should be granted.
- 4.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.Casino Transportation, Inc. is granted temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 52393 for a period of 180 days commencing from the Mailed Date of this Order, with authority as set forth in the attached Appendix.
- 2.Casino Transportation, 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.

B. This Order is effective on its Mailed Date.

ADOPTED IN OPEN MEETING June 28, 1995.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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ATTEST: A TRUE COPY

ROBERT J. HIX

Bruce N. Smith
Director

VINCENT MAJKOWSKI

Commissioners

COMMISSIONER CHRISTINE E.M. ALVAREZ
ABSENT.

ORDER-ADT

Appendix
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Temporary Authority for the transportation of

passengers and their baggage, on schedule,

between all points in Central City and Black Hawk, Colorado, on the one hand, and, on the other hand, points located within the following territory: Commencing at the intersection of Alameda Avenue and Utica Avenue in Denver, Colorado, thence south along an imaginary northsouth line from the intersection of Utica and Alameda to the intersection of that line with Interstate Highway C-470, thence west along C-470 to its intersection with U.S. Highway 285, thence northeast along an imaginary line to the intersection of Union Street and Alameda Avenue, thence east along Alameda Avenue to the point of beginning.

ORDER-ADT

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 95A-252CP-EXTENSION-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:

Casino Transportation, Inc.
251 Rooney Road
Golden, CO 80401

APPLICANT'S ATTORNEY:

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

INTERVENOR:

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

INTERVENOR'S ATTORNEY:

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

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ORDER-ADT

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

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BRUCE N. SMITH
DIRECTOR