

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03M-006CP

IN THE MATTER OF THE PASSENGER TIME SCHEDULE NO. 14 FILED BY CASINO COACH, INC., TO BECOME EFFECTIVE ON JANUARY 13, 2003.

**COMMISSION ORDER REJECTING SCHEDULE
CHANGES**

Mailed Date: January 9, 2003
Adopted Date: January 8, 2003

I. BY THE COMMISSION

Statement, Findings, and Conclusion:

1. On December 12, 2002, Casino Coach, Inc., filed Passenger Time Schedule No. 14 to become effective January 13, 2003. Casino Coach, Inc., provides scheduled bus service between points in the Denver/Boulder Metropolitan area and the casinos in the Central City/Black Hawk area as provided for in Certificate of Public Convenience and Necessity (CPCN) PUC No. 55667.

2. Passenger Time Schedule No. 14 proposes the replacement of Tuesday, Thursday, Friday, and Saturday service that departed from the Boulder County area at noon with Friday and Saturday service that departs in mid-afternoon and at night. Time Schedule No. 14 also eliminates all return trips from Central City/Black Hawk and publishes no addresses of scheduled points in Central City/Black Hawk. The authority granted in CPCN PUC No. 55667 requires that Casino Coach, Inc. serve between points published in the time schedules.

3. Rule 34(a) of the Commission's Rules of Practice and Procedure, 4 *Colorado Code of Regulations (CCR) 723-1*, requires a common carrier to file a time schedule which shall

be published in the form and manner consistent with statutes, rules, and orders of this Commission. The prescribed guideline for publishing time schedule changes is contained in Appendix A, Section 12 of this Commission's Rules of Practice and Procedure, *4 CCR 723-1*.

4. Review of the filed schedule indicates that no destination points or addresses at Central City/Black Hawk or departure time there from have been published in proposed Time Schedule No. 14 and therefore the schedule does not conform to Appendix A, Section 12, of the Commission's Rules of Practice and Procedure, *4 CCR 723-1*.

5. Section 40-6-111(3), C.R.S., and 4 CCR 723-1-34(b) allow the Commission to reject a tariff or time schedule that is not in the form required by Commission rules.

6. The Commission finds that Time Schedule No. 14 to become effective January 13, 2003 should be rejected for violations of Rule 34(a) and Appendix A, Section 12, of the Commission's Rules of Practice and Procedure, *4 CCR 723-1*.

II. ORDER

A. The Commission Orders That:

1. Time Schedule No. 14 to become effective January 13, 2003 filed by Casino Coach, Inc., is rejected.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 8, 2003.**

(S E A L)



ATTEST: A TRUE COPY

**Bruce N. Smith
Director**

**THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**

RAYMOND GIFFORD

POLLY PAGE

JIM DYER

Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 03M-006CP

DECISION NO. C03-0034

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:

Ward Hicken, General Manager
Casino Coach, Inc.
2657 West 118th Avenue
Westminster, CO 80234

APPLICANT'S ATTORNEY:

Charles J. Kimball, Esq.
KIMBALL & NESPOR, P.C.
5400 Ward Road
Building III, Suite 150
Arvada, CO

ROUTE:

60; 6; all PUC staff, including staff that may be listed as parties, received this decision electronically.

SEAL



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

BRUCE N. SMITH
Director

