

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

DOCKET NO. 02A-622CP-TRANSFER

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THE APPLICATION OF KEYSTONE ARAPAHOE LIMITED PARTNERSHIP FOR APPROVAL TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 20195 TO VAIL SUMMIT RESORTS, INC., DOING BUSINESS AS KEYSTONE RESORT, INC.

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**COMMISSION ORDER APPROVING TRANSFER OF  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY**

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Mailed Date: January 16, 2003  
Adopted Date: January 15, 2003

**I. BY THE COMMISSION:**

**Statement, Findings and Conclusions**

1. On November 27, 2002, Keystone Arapahoe Limited Partnership filed an application for approval to transfer Certificate of Public Convenience and Necessity (CPCN) PUC No. 20195 to Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on December 2, 2002. The Commission set this matter for hearing on February 13, 2003.

3. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is noncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

4. The information submitted in support of this application warrants the grant of the requested transfer.

5. The financial standing of Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., has been satisfactorily established.

6. Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., is ready, willing, and able to properly perform the service as requested.

7. This application for permanent approval of the transfer of CPCN PUC No. 20195 is in the public interest.

## **II. ORDER**

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

1. The hearing set for February 13, 2003, is vacated.
2. This application was deemed complete on January 8, 2003, within the meaning of § 40-6-109.5, C.R.S.
3. The application filed by Keystone Arapahoe Limited Partnership for approval to transfer Certificate of Public Convenience and Necessity PUC No. 20195, subject to encumbrances, if any, against the authority, to Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., is granted.
4. Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., shall operate in accordance with all applicable Commission rules and regulations.

5. Approval of the transfer of Certificate of Public Convenience and Necessity PUC No. 20195 is conditioned on the prior filing by Keystone Arapahoe Limited Partnership of delinquent reports, if any, covering operations under the certificate up to the consummation of the transfer.

6. Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., shall also adopt the tariff of Keystone Arapahoe Limited Partnership which shall become that of Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., until changed in accordance with the Public Utilities Law. Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., shall pay the vehicle identification fee. Keystone Arapahoe Limited Partnership shall file a terminating annual report from the first of January, 2002, to the date of this Order. An acceptance of transfer signed by both Keystone Arapahoe Limited Partnership and Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., shall be filed with the Commission. Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., may not begin operations until it has received notice in writing from the Commission that it is in compliance and may begin service.

7. If Keystone Arapahoe Limited Partnership and Vail Summit Resorts, Inc., doing business as Keystone Resort, Inc., do not comply with the requirements of this Order within 60 days of its effective date, then the approval to transfer Certificate of Public Convenience and Necessity PUC No. 20195 shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 60 days.

8. This Order is effective immediately on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING**

**January 15, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

POLLY PAGE

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JIM DYER

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Commissioners

CHAIRMAN RAYMOND L. GIFFORD  
ABSENT

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

**CERTIFICATE OF SERVICE**

DOCKET NO. 02A-622CP-Transfer

DECISION NO. C03-0052  
(Page 1 of 1 Page)

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 to the following:

TRANSFEROR:

Keystone Arapahoe Limited Partnership  
P.O. Box 38  
Keystone, CO 80435

TRANSFeree:

Vail Summit Resorts, Inc.  
dba Keystone Resort, Inc.  
P.O. Box 38  
Keystone, CO 80435

TRANSFEROR AND TRANSFeree'S ATTORNEY:

Eric R. Stephenson  
P.O. Box 38  
Keystone, CO 80435

ROUTE:

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

S E A L



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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BRUCE N. SMITH  
Director