

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03L-041CP

RE: IN THE MATTER OF THE APPLICATION OF BEN SAGENKAHN DOING BUSINESS AS PEAK TRANSIT FOR AUTHORITY TO PUBLISH TIME SCHEDULE NUMBER 7, TO BECOME EFFECTIVE ON LESS-THAN-STATUTORY NOTICE.

**COMMISSION ORDER GRANTING TARIFF CHANGES
ON LESS-THAN-STATUTORY NOTICE**

Mailed Date: February 5, 2003
Adopted Date: February 5, 2003

I. BY THE COMMISSION:

A. Statement

1. On January 28, 2003, Ben Sagenkahn, doing business as Peak Transit (Peak Transit), filed an application for authority to publish Time Schedule No. 7 to become effective on less-than-statutory notice. Peak Transit provides scheduled service between Colorado Springs and Denver International Airport, serving intermediate points.

2. Peak Transit proposes to substitute the stop at the Radisson Inn, 8110 Academy BLVD, for the Drury Inn stop, 8155 Academy BLVD, both locations are in the same vicinity.

3. In support of the application, Peak Transit states that the Drury Inn has requested that they no longer make the inn a part of Peak Transit's scheduled operations.

4. Rule 31(f)(1) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, allows an order authorizing carriers to change tariffs or time schedules on less-than-statutory notice for good cause shown.

5. The Commission finds that good cause has been shown for the approval of the proposed changes in Time Schedule No. 7 and that the application should be granted.

II. ORDER

A. The Commission Orders That:

1. The application of Ben Sagenkahn, doing business as Peak Transit, to publish Time Schedule No. 7 on less-than-statutory notice is granted.

2. Time Schedule No. 7 shall be published on not less than one day's notice to the Commission and the general public.

3. This Order is effective on its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING FEBRUARY 5, 2003.**

(SEAL)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners