

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-153BP-TRANSFER

THE APPLICATION OF EAGLE TRANSPORTATION, LLP FOR APPROVAL TO ALLOW P.O. TRANSPORTATION, LLP, TO ASSUME OPERATIONAL CONTROL OF CONTRACT CARRIER PERMIT NO. B-9830.

**COMMISSION ORDER GRANTING
PERMANENT CONTRACT CARRIER PERMIT**

Mailed Date: May 28, 2003
Adopted Date: May 28, 2003

I. BY THE COMMISSION:

A. Statement, Findings, and Conclusions

1. On April 15, 2003, Eagle Transportation, LLP, filed an application for approval to allow P. O. Transportation, LLP, to assume operational control of Contract Carrier Permit No. B-9830 pending Commission consideration of the related application to permanently transfer the certificate.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on April 21, 2003. The Commission set this matter for hearing on June 24, 2003.

3. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is non-contested. 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 P.O. Transportation, LLP, has been satisfactorily established.

6. P.O. Transportation, LLP, 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. B-9830 is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for June 24, 2003, is vacated.
2. The application was deemed complete on May 27, 2003, within the meaning of § 40-6-109.5, C.R.S.
3. The application filed by Eagle Transportation, LLP for approval to transfer Certificate of Public Convenience and Necessity PUC No. B-9830, subject to encumbrances, if any, against the authority, to P.O. Transportation, LLP, is granted.
4. Approval of the transfer of Certificate of Public Convenience and Necessity PUC No. B-9830 is conditioned on the prior filing by Eagle Transportation, LLP of delinquent reports, if any, covering operations under the certificate up to the consummation of the transfer.
5. P.O. Transportation, LLP, shall cause to be filed with the Commission certificates of insurance as required by Commission rules. P.O. Transportation, LLP, shall also adopt the tariff of Eagle Transportation, LLP, which shall become that of P.O. Transportation, LLP, until changed in accordance with the public utilities law. P.O. Transportation, LLP, shall pay the

vehicle identification fee. Eagle Transportation, LLP shall file a terminating annual report from January 1, 2003 to the date of this Order. An acceptance of transfer signed by both Eagle Transportation, LLP, and P.O. Transportation, LLP, shall be filed with the Commission. P.O. Transportation, LLP, may not begin operations until it has received notice in writing from the Commission that it is in compliance and may begin service.

6. If P. O. Transportation, LLP, does not comply with the requirements of this Order within 60 days of its effective date the approval 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 30 days.

7. 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 Order.

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

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
May 28, 2003**

(S E A L)



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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 03A-153BP-Transfer

DECISION NO. C03-0574
(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:

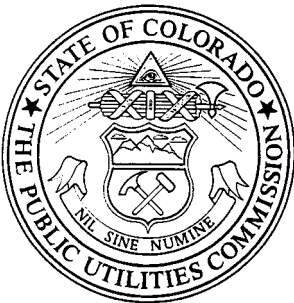
Eagle Transportation, LLP
9031 East Colorado Drive
Denver, CO 80231

TRANSFeree:

P. O. Transportation, LLP
5488 East Briarwood Circle
Littleton, CO 80122

ROUTE:

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



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

A handwritten signature in cursive script that reads "Bruce N. Smith".

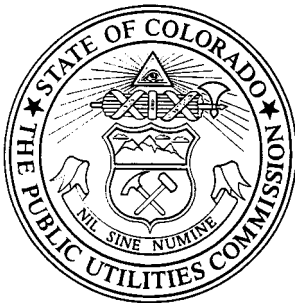
BRUCE N. SMITH
Director

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Director