

Decision No. C03-0991

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

DOCKET NO. 03M-142CP

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IN THE MATTER OF THE MOTION OF THE GOLFLINE, LLC, DOING BUSINESS AS THE GOLFLINE, TO REINSTATE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55719.

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**ORDER GRANTING EXCEPTIONS TO  
RECOMMENDED DECISION NO. R03-0293**

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Mailed Date: August 29, 2003  
Adopted Date: August 20, 2003

**I. BY THE COMMISSION:**

**A. Statement, Findings and Conclusions**

1. This matter comes before the Commission for consideration of the letter requesting reinstatement of Certificate of Public Convenience and Necessity (CPCN) PUC No. 55719 filed by The GolfLine, LLC, doing business as The GolfLine (GolfLine), on April 10, 2003. In Decision No. R03-0293 (Recommended Decision) an Administrative Law Judge (ALJ), after a hearing on the matter, ordered that GolfLine's operating authority be revoked for failure to keep a currently effective Certificate of Insurance on file with the Commission. This request to reinstate CPCN No. 55719 only pertains to that portion of the Recommended Decision that deals with Golf-Line's operating authority (Case No. 4735-INS).

2. On February 14, 2003, the Commission received a Form K cancellation notice from GolfLine's insurance provider, Northland Insurance Company. That cancellation was to become effective March 17, 2003. The Commission issued a Notice of Hearing and Order to Show Cause for failure to keep a currently effective Certificate of Insurance on file with the

Commission on March 11, 2003. After a hearing on March 24, 2003, the ALJ issued the Recommended Decision revoking GolfLine's common carrier authority, CPCN No. 55719. Decision No. R03-0293 was mailed on March 28, 2003, and became a Decision of the Commission on April 17, 2003.

3. Section 40-6-109(2), C.R.S., mandates that if no exceptions are filed to a recommended decision within 20 days, such decision shall become effective as the decision of the Commission by order of law. In this instance, the GolfLine filed its letter requesting the reinstatement of CPCN PUC No. 55719 within the 20 day period. We therefore construed GolfLine's letter as exceptions to Recommended Decision No. 03A-0293. In its letter GolfLine states:

"In February, 2003, the decision was made by the executive committee of The GolfLine to take the van from Denver to Dallas, Texas, to operate until the season resumes in May. The plan is to bring the van back to Denver/Colorado market at the beginning of May for the summer golf season. Because the van was going to operate in Texas, we had to change insurance coverage, and get a policy that would be in effect in Texas. Thus the reason that the Colorado policy was allowed to lapse. The intention was to get insurance coverage for both states, so it would be covered either way. There have been some tremendous challenges in getting coverage for both Colorado and Texas."

However, GolfLine did not have the required insurance for CPCN PUC No. 55719 at the time of its request to reinstate CPCN PUC No. 55719. Therefore, the request to reinstate was not granted.

4. On July 3, 2003, the Commission received notice via a Form E that Golf-Line had procured insurance coverage from Columbia Insurance Company effective May 9, 2002. In

compliance with Commission rules, GolfLine now has a currently effective Certificate of Insurance on file with the Commission.

5. On August 13, 2003, the Commission received another letter from GolfLine. This letter summarized the details contained in the letter received on April 10, 2003. In this letter, GolfLine also requests the suspension of CPCN PUC No 55719 from March 2003, through March 31, 2004. The request for suspension will be addressed in a separate docket.

6. The Commission finds that GolfLine has shown good cause to reinstate CPCN PUC No. 55719. We therefore grant GolfLine's request to file exceptions to the Recommended Decision, and reinstate GolfLine's common carrier authority. However, GolfLine is reminded that it is responsible for knowing and following all applicable rules, Colorado statutes, and Commission orders in a timely fashion.

## **II. ORDER**

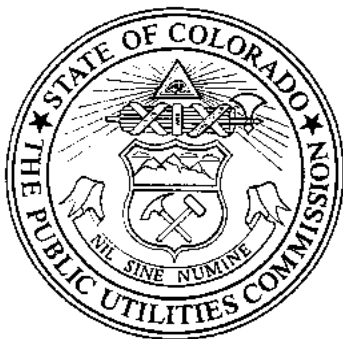
### **A. The Commission Orders That:**

1. The letter requesting reinstatement of common carrier Certificate of Public Convenience and Necessity PUC No. 55719 filed by The Golf-Line, LLC, dba The GolfLine, on April 10, 2003, is construed as exceptions to Decision No. R03-0293 pursuant to § 40-6-109, C.R.S., and is granted. That portion of Decision No. R03-0293 pertaining to The Golf-Line, LLC, dba The GolfLine, (Case No. 4735-INS) is overturned, and Certificate of Public Convenience and Necessity PUC No. 55719 is reinstated.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING  
August 20, 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