

Decision No. C03-1448

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

DOCKET NO. 03A-274CP-EXTENSION

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IN THE MATTER OF THE APPLICATION OF CASINO COACH, INC., 7550 DAHLIA STREET, COMMERCE CITY, COLORADO 80022 FOR AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55667.

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**DECISION GRANTING REQUEST  
FOR EXTENSION OF TIME**

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Mailed Date: December 30, 2003  
Adopted Date: December 22, 2003

**I. BY THE COMMISSION:**

**Statement**

1. This matter comes before the Colorado Public Utilities Commission (Commission) for consideration of a Motion To Reinstate Order and Extend Time to File Tariff and Time Schedule, filed by Casino Coach, Inc. (Casino Coach), on December 16, 2003. The Motion filed by Casino Coach requests an extension of time within which to comply with Decision No. R03-1023 which was mailed on September 9, 2003, in Docket No. 03A-274CP-Extension. Decision No. R03-1023 granted Casino Coach the authority to extend Certificate of Public Convenience and Necessity PUC No. 55667 as follows: Transportation of passengers and their baggage, in scheduled service between all points within the area: beginning at the intersection of Sheridan Boulevard and Colfax Avenue, Denver, Colorado; then east along Colfax Avenue to its intersection with Interstate 25; then south along Interstate 25 to its intersection with Alameda Avenue; then west along Alameda Avenue to its intersection with Sheridan Boulevard; then north along Sheridan Boulevard to the point of beginning; on the one hand, and all points in

Central City, Colorado, and Black Hawk, Colorado, on the other hand. The extension was restricted against providing any service to or from any point located within one mile of Interstate 25.

2. The Order, effective on September 29, 2003, required that Casino Coach file with the Commission the appropriate tariff and time schedule within 60 days of the effective date of the order. Therefore, Casino Coach had until November 28, 2003, to comply with the requirements of Decision No. R03-1023. The order further stated “If Casino Coach does not comply with the requirements of this ordering paragraph (Paragraph 3) within 60 days of the effective date of the Order, then the ordering paragraph granting authority to Casino Coach shall be void. On good cause shown, the Commission may grant additional time for compliance.”

3. Casino Coach did not file the tariff and time schedule within the 60-day period required by Decision No. R03-1023. Casino Coach also did not file its Motion for an extension of time to meet these requirements within the same 60-day period.

4. In the Motion To Reinstate Order and Extend Time to File Tariff and Time Schedule, Casino Coach states “On November 25, 2003, CCI’s counsel mailed the tariff and time schedule to the Commission, but those filings were not received by Commission Staff. The Applicant had no desire to allow the grant of authority to lapse and believed that it had taken the necessary steps to comply with the granting order. When a member of Commission staff informed the undersigned that staff had not yet received the tariff and time schedule mailed on November 25, 2003, a replacement set of those documents was filed with the Commission on December 8, 2003.”

5. The required tariff and time schedule were received by the Commission by facsimile on December 8, 2003. The original tariff and time schedule were received by the Commission on December 9, 2003. Casino Coach completed the remaining filing requirements named in Decision No. R03-1023 by November 25, 2003.

6. The Commission finds that Casino Coach did attempt to timely comply with the filing requirements of Decision No. R03-1023. The Commission therefore, finds that good cause exists to reinstate Docket No. 03A-274CP-Extension and grant an extension of time to comply with the filing requirements of Decision No. R03-1023.

## **II. ORDER**

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

1. The Motion to reinstate Docket No. 03A-274CP-Extension is granted.
2. Casino Coach, Inc., is granted an extension of time until December 8, 2003, within which to comply with the filing requirements of Decision No. R03-1023.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
December 22, 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

I/TRANS/ORDERS/03A-274CP

