

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-140CP-TRANSFER

THE APPLICATION OF DENVER MOUNTAIN EXPRESS, INC., DOING BUSINESS AS AMERISHUTTLE &/OR BLUE SKY SHUTTLE, FOR APPROVAL TO TRANSFER CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY PUC NOS. 50790, 52940, 55363, & 55519, TO SCHAFFER-SCHONEWILL & ASSOCIATES, INC., DOING BUSINESS AS ENGLEWOOD EXPRESS &/OR WOLF EXPRESS SHUTTLE.

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

Mailed Date: May 27, 2004
Adopted Date: May 26, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On April 7, 2004, Denver Mountain Express, Inc., doing business as Amerishuttle &/or Blue Sky Shuttle (Amerishuttle), filed an application for approval to transfer Certificates of Public Convenience and Necessity (CPCN) PUC Nos. 50790, 52940, 55363, & 55519, to Schaffer-Schonewill & Associates, Inc., doing business as Englewood Express &/or Wolf Express Shuttle (Englewood Express).

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on April 19, 2004. The Commission set this matter for hearing on June 18, 2004.

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

4. The information submitted with this application warrants granting the requested transfer.

5. The financial standing of Englewood Express has been satisfactorily established.

6. Englewood Express is ready, willing, and able properly to perform the service as requested.

7. This application for permanent approval of the transfer of CPCN PUC Nos. 50790, 52940, 55363, & 55519, is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for June 18, 2004, is vacated.
2. This application was deemed complete on May 26, 2004, within the meaning of § 40-6-109.5, C.R.S.
3. The application filed by Amerishuttle for approval to transfer Certificates of Public Convenience and Necessity PUC Nos. 50790, 52940, 55363, & 55519, subject to encumbrances, if any, against the authority, to Englewood Express, is granted.
4. Englewood Express shall operate in accordance with all applicable Commission rules and regulations.

5. Approval of the transfer of Certificates of Public Convenience and Necessity PUC Nos. 50790, 52940, 55363, & 55519, is conditioned on the prior filing by Amerishuttle of delinquent reports, if any, covering operations under the certificates up to the consummation of the transfer.

6. Englewood Express shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Englewood Express shall also adopt the tariffs of Amerishuttle which shall become that of Englewood Express until changed in accordance with the public utilities law. Englewood Express shall pay the vehicle identification fee. Amerishuttle shall file a terminating annual report from the first of January to the date of this Order. An acceptance of transfer signed by both Amerishuttle and Englewood Express shall be filed with the Commission. Englewood Express may not begin operations until these requirements have been met and it has received notice in writing from the Commission stating that it is in compliance and may begin service.

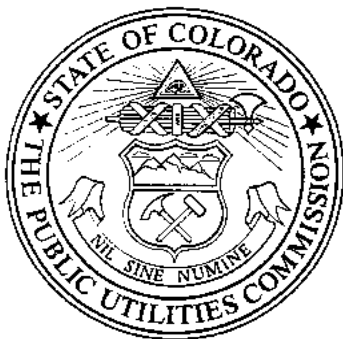
7. If Amerishuttle and Englewood Express do not comply with the requirements of this Order within 60 days of its effective date, then the approval to transfer Certificates of Public Convenience and Necessity PUC Nos. 50790, 52940, 55363, & 55519, shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 60 days.

8. The 20-day time period provided by §40-6-141(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.

9. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
May 26, 2004.**

(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