

Decision No. C04-0578

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-173CP-ABANDONMENT-PORITION

THE APPLICATION OF MESA VERDE COMPANY FOR APPROVAL TO ABANDON A PORTION OF OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 7465.

**COMMISSION ORDER APPROVING ABANDONMENT
OF A PORTION OF OPERATIONS**

Mailed Date: June 4, 2004
Adopted Date: June 2, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On April 12, 2004, Mesa Verde Company filed an application to abandon operations under a portion of Certificate of Public Convenience and Necessity (CPCN) PUC No. 7465.

2. The portion of CPCN PUC No. 7465 to be abandoned is Item IV which reads as follows: Transportation of passengers and their baggage, in scheduled service, between Dove Creek, Colorado, on the one hand, via U.S. Highway 666 and U.S. Highway 160, and Durango, Colorado, on the other hand, with service to the intermediate points of Cahone, Pleasant View, Yellow Jacket, Cortez, Mancos, and Hesperus, Colorado.

3. 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 July 13, 2004.

4. Three residents of Durango, Colorado, and one resident of Dolores, Colorado, filed letters in opposition of the proposed abandonment. The authors of three of these letters state they utilize this scheduled service and do not want the service to be abandoned. The author of the remaining letter is aware of individuals that utilize this scheduled service and believes that discontinuing the bus service would have a negative impact on the lives of the passengers who currently depend on this service to travel to and from work. No transportation carrier operating a common carrier certificate or a contract carrier permit filed a petition to intervene or otherwise participate in this proceeding. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

5. Mesa Verde Company was granted authority to provide the scheduled service, in Item IV by Decision No. R02-1021 in Docket No. 02A-042CP, on September 13, 2002. Mesa Verde Company began providing this scheduled service in October of 2002.

6. In its application Mesa Verde Company stated it seeks to abandon the scheduled service between Dove Creek, Colorado and Durango, Colorado due to insufficient ridership. On June 1, 2004, Mesa Verde Company filed an additional document in support of its application. This document includes a summary of the fare revenue it received and the expenses it incurred during the four weeks of May, 2004, on the Dove Creek, Colorado to Durango, Colorado, scheduled service. This summary indicates that 183 passengers were transported during the 20-day period. The revenue received during this period was \$600. The expenditures incurred to operate the scheduled service during this period was \$9481. Mesa Verde Company shows it incurred a \$8881 loss to provide the scheduled service during the 20-day period.

7. The Commission acknowledges that while the passengers currently utilizing this scheduled service may be inconvenienced by a cessation of service, Mesa Verde Company is

incurring significant financial losses in providing this service. Therefore, the Commission finds that Mesa Verde Company should not be ordered to continue providing this scheduled service.

II. ORDER

A. The Commission Orders That

1. The hearing set for July 13, 2004, is vacated.
2. This application was deemed complete on June 2, 2004, within the meaning of § 40-6-109.5, C.R.S.
3. The application filed by Mesa Verde Company for approval to abandon Item IV of Certificate of Public Convenience and Necessity PUC No. 7465 is granted.
4. 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.

5. This Order is effective on its Mailed Date.

B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
June 2, 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

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