

Decision No. C04-1197-E

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-445CP-TRANSFER

THE APPLICATION OF CHANDA L. JONES AND JOHN T. JONES, JR. DOING BUSINESS AS DELTA TRANSIT COMPANY FOR APPROVAL TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 52100 TO DELTA TRANSIT COMPANY, INC. DOING BUSINESS AS DELTA/MONTROSE TAXI.

ERRATA NOTICE

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

Errata Mailed Date: October 27, 2004

Mailed Date: October 14, 2004

Adopted Date: October 14, 2004

The caption is amended to read:

THE APPLICATION OF CHANDA L. JONES AND JOHN T. JONES, JR. DOING BUSINESS AS DELTA TRANSIT COMPANY FOR APPROVAL TO TRANSFER CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY PUC NOS. 52100 **AND 55708** TO DELTA TRANSIT COMPANY, INC. DOING BUSINESS AS DELTA/MONTROSE TAXI.

The following bolded changes correct the Order:

A. Statement, Findings and Conclusions

1. On August 30, 2004, Chanda L. Jones and John T. Jones, Jr. doing business as Delta Transit Company (Delta Transit Company) filed an application for approval to transfer Certificates of Public Convenience and Necessity (CPCN) PUC Nos. 52100 **and 55708** to Delta Transit Company, Inc. doing business as Delta/Montrose Taxi (Delta/Montrose Taxi).

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on September 7, 2004. The Commission set this matter for hearing on November 9, 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 Delta/Montrose Taxi has been satisfactorily established.

6. Delta/Montrose Taxi is ready, willing, and able properly to perform the service as requested.

7. This application for permanent approval of the transfer of CPCN PUC No. 52100 **and 55708** is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for November 9, 2004, is vacated.

2. This application was deemed complete on October 14, 2004, within the meaning of § 40-6-109.5, C.R.S.

3. The application filed by Delta Transit Company for approval to transfer Certificates of Public Convenience and Necessity PUC Nos. 52100 **and 55708**, subject to encumbrances, if any, against the authority, to Delta/Montrose Taxi is granted.

4. Delta/Montrose Taxi shall operate in accordance with all applicable Commission rules and regulations.

5. Approval of the transfer of Certificate of Public Convenience and Necessity PUC No. 52100 is conditioned on the prior filing by Delta Transit Company of delinquent reports, if any, covering operations under the certificate up to the consummation of the transfer.

6. Delta/Montrose Taxi shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Delta/Montrose Taxi shall also adopt the tariff of Delta Transit Company which shall become that of Delta/Montrose Taxi until changed in accordance with the public utilities law. Delta/Montrose Taxi shall pay the appropriate vehicle identification fee. Delta Transit Company shall file a terminating annual report from the first of January to the date of this Order. An acceptance of transfer signed by both Delta Transit Company and Delta/Montrose Taxi shall be filed with the Commission. Delta/Montrose Taxi 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 Delta Transit Company and Delta/Montrose Taxi 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. 52100 **and 55708** 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 § 40-6-114(1), C.R.S., to file an application for rehearing, re-argument, 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
October 14, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

BRUCE N. SMITH

Director

Dated at Denver, Colorado this
27th day of October, 2004.