

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-166CP

IN THE MATTER OF THE APPLICATION OF CENTENNIAL CAB, LLC, DOING BUSINESS AS A+ AIRPORT SHUTTLE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
WILLIAM J. FRITZEL
ACCEPTING STIPULATED MOTION
TO RESTRICT AUTHORITY AND
REQUIRING LETTERS OF PUBLIC SUPPORT**

Mailed Date: June 11, 2004

I. STATEMENT

1. On April 5, 2004, Centennial Cab, LLC, doing business as A+ Airport Shuttle (Applicant) filed an application for a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.

2. On April 19, 2004, the Commission issued notice of the application as follows:

For a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of

passengers and their baggage:

- (1) In scheduled service, between the following points, on the one hand, Colorado Springs Municipal Airport, Colorado Springs, Colorado; Ft. Carson; U.S. Air Force Academy; Peterson Air Force Base; and all hotels located within the city limits of Colorado Springs, Colorado; and Denver International Airport, Denver, Colorado, on the other hand; and
- (2) In call-and-demand limousine service, between Ft. Carson; U.S. Air Force Academy; Peterson Air Force Base; and all points in Colorado Springs, Colorado, on the one hand, and Denver International Airport, on the other hand.

3. On May 3, 2004, RDSM Transportation, Ltd., doing business as Yellow Cab of Colorado Springs (Intervenor) filed a Notice of Intervention.

4. A hearing was set in this matter for July 6, 2004 at the Commission hearing room in Denver, Colorado.

5. On May 6, 2004, Intervenor filed a motion requesting that the hearing scheduled for July 6, 2004 be held in Colorado Springs, Colorado rather than in Denver.

6. By Interim Order No. R04-0526-I (May 24, 2004), the request of Intervenor was granted and the hearing scheduled for Denver was vacated.

7. On June 1, 2004, Intervenor filed a letter with the Commission indicating its available dates for the resetting of the hearing in Colorado Springs.

8. On June 2, 2004, Intervenor and Applicant filed a Stipulated Motion to Restrict Authority and Conditional Withdrawal of Intervention.

9. Under the terms of the Stipulated Motion, Applicant moves to restrictively amend its application as follows:

- (a) The portion of the application seeking call and demand limousine service is hereby withdrawn;
- (b) The authority shall be limited to scheduled service, between the following points: Colorado Springs Municipal Airport, Colorado Springs, Colorado; Ft. Carson; U.S. Air Force Academy; Peterson Air Force Base; all hotels located within the city limits of Colorado Springs, Colorado, on the one hand, and Denver International Airport, Denver, Colorado, on the other hand; and
- (c) To the use of vehicles having a seating capacity of at least fifteen (15) passengers, not including the driver.

It is found that the proposed restrictive amendment, is restrictive in nature, clearly stated, and enforceable. The restrictive amendment will be accepted.

10. Since this application is now noncontested, the application can be handled pursuant to the Commission's modified procedure under the provisions of § 40-6-109(5), C.R.S., and 4 *Code of Colorado Regulations* 723-1-24(a), without a formal hearing.

11. However, the application as it stands is incomplete. The official file of the Commission is incomplete since it does not contain letters of support from the public to indicate a public need for the proposed service. Consequently, Applicant shall be granted a period of 15 days from the mailing date of this order to obtain and to file support letters from the public.

II. ORDER

A. It Is Ordered That:

1. The Stipulated Motion to Restrict Authority and Conditional Withdrawal of Intervention filed on June 2, 2004 by Centennial Cab, LLC, doing business as A+ Airport Shuttle and RDSM Transportation, Ltd., doing business as Yellow Cab Company of Colorado Springs is accepted.

2. Centennial Cab, LLC, doing business as A+ Airport Shuttle shall within 15 days of the mailing date of this Order file with the Commission letters of support from members of the public expressing a need for the proposed authority. Failure to comply with this Order will result in the matter either being set for hearing or dismissed.

3. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge