

EXHIBIT # 1  
DOCKET # 11A-367CP-EXT  
WITNESS \_\_\_\_\_  
DATE \_\_\_\_\_  
REPORTER HW

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STATE OF COLORADO  
2011 JUN 10 AM 9:33

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO.  
Docket No. 11A-367CP-EXT; Published in the PUC Notices of 4/25/2011 at page 10

IN THE MATTER OF THE APPLICATION OF M T ACQUISITIONS, LLC D/B/A MOUNTAINS TAXI, P. O. BOX 694, CONIFER, CO 80433 FOR AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55768

STIPULATED MOTION OF M T ACQUISITIONS, LLC D/B/A MOUNTAINS TAXI AND CASINO TRANSPORTATION, INC. AND FOUR WINDS, INC. D/B/A PEOPLE'S CHOICE TRANSPORTATION, INC. TO RESTRICTIVELY AMEND THE APPLICATION, FOR CONDITIONAL WITHDRAWAL OF INTERVENORS' INTERVENTION, AND FOR A WAIVER OF RESPONSE TIME

Casino Transportation, Inc. and Four Winds, Inc. d/b/a People's Choice Transportation, Inc. (collectively CTI or Intervenors) by and through their counsel, Charles M. Williams of Charles M. Williams, P.C. and M T Acquisitions, LLC d/b/a Mountains Taxi (Mountains Taxi or Applicant), *pro se* by and through its authorized representative, Donald Bosch, Managing Member of the Applicant, hereby submit their above pleading. In support thereof, the parties show the Colorado Public Utilities Commission (PUC or Commission) as follows:

**Motion**

1. Applicant has filed an application seeking a Certificate of Public Convenience and Necessity from this Commission. The Application was noticed in the PUC's Notice of April 25, 2011, a copy of which is attached hereto as Exhibit A. By its application as noticed by the PUC, Mountains Taxi seeks authority to extend operations under Certificate of Public Convenience and Necessity No. 55768 to authorize the transportation of passengers in call-and-demand limousine service between all points in the following area: commencing at the intersection of Colorado State Highway 119 and U. S. Highway 6, near the boundaries of the Counties of Jefferson, Gilpin, and Clear Creek, State of Colorado, thence east along U.S.

Highway 6 to its intersection with Jefferson County Parkway, thence east and south along Jefferson County Parkway to its intersection with Johnson Road, thence south along Johnson Road to its transition to Interstate C-470, thence south and east along Interstate C-470 to its intersection with the boundary of the County of Jefferson thence south along the boundary of the County of Jefferson to a point one mile south of its intersection with Jefferson County Road 96 (South Platte River Road), thence west along an imaginary line to a point 8 miles west of the eastern boundary of the County of Park, thence north along an imaginary line for 28.25 miles, thence east along an imaginary line to State Highway 119, thence southeast along State Highway 119 to the point of beginning, and between said points, on the one hand, and all points in the State of Colorado, on the other hand. Intervenors oppose the application.

2. Intervenors and Applicant have engaged in negotiations concerning Intervenors' interest in the application, as compared to Applicant's request for an extension of authority and the service it intends to offer. As a result of negotiations between the parties, Applicant requests that its application be restrictively amended as set forth below<sup>1</sup>. The intent of the restriction as between these Intervenors and the Applicant is to eliminate all points in Gilpin County from the base radial authority the Applicant requests. If this Stipulated Motion is granted, the application, as restrictively amended, will seek the following authority:

Transportation of passengers in call-and-demand limousine service:

Between all points in the following area: commencing at the intersection of Colorado State Highway 119 and U. S. Highway 6, near the boundaries of the Counties of Jefferson, Gilpin, and Clear Creek, State of Colorado, thence east along U.S. Highway 6 to its intersection with Jefferson County Parkway, thence

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<sup>1</sup> The restated scope of the application, as amended incorporates all restrictive amendments proposed by the Applicant by its letter dated May 23, 2011 including an amendment against service to or from Denver International Airport to satisfy the interests of another carrier. A copy of Applicant's letter is attached hereto as Exhibit B.

east and south along Jefferson County Parkway to its intersection with Johnson Road, thence south along Johnson Road to its transition to Interstate C-470, thence south and east along Interstate C-470 to its intersection with the boundary of the County of Jefferson thence south along the boundary of the County of Jefferson to a point one mile south of its intersection with Jefferson County Road 96 (South Platte River Road), thence west along an imaginary line to a point 8 miles west of the eastern boundary of the County of Park, thence north along an imaginary line to the southern boundary of the County of Gilpin, thence southeast along the southern boundary of the County of Gilpin to State Highway 119, thence southeast along State Highway 119 to the point of beginning, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.

Restriction: The Applicant is restricted against providing call and demand limousine services to or from Denver International Airport, Denver, Colorado.

3. Applicant and Intervenors advise the PUC that they believe that the offered restrictive amendment to eliminate Gilpin County, Colorado points from the base radial territory is restrictive in nature, unambiguous, and capable of enforcement. The parties request that it be accepted. Intervenors further advise the PUC that if the application is amended as set forth in paragraph 2 above, their interest in the application will be satisfied and their Intervention will be withdrawn.

4. In the event the proposed restriction is rejected, or is accepted in a form other than as submitted above, Intervenors' interest in the application will not have been satisfied, and Intervenors will continue their intervention in opposition to this application.

**Request for Waiver of Response Time**

5. This matter has been set for a prehearing conference on June 10, 2011 by Interim Decision No. R11-0623-I. Since this is a Stipulated Motion between Intervenors and the Applicant, the parties request that the response time to the within Stipulated Motion be waived.

WHEREFORE, Applicant and Intervenors request that the Commission grant their Stipulated Motion as requested and that the response time to the Stipulated Motion be waived.

Respectfully submitted June 10, 2011.

M T ACQUISITIONS, LLC D/B/A  
MOUNTAINS TAXI



(Signature)

By: Donald Bosch

Its: Managing Member

Phone: (303)- 333-6294

Fax: (303)- \_\_\_\_\_

CHARLES M. WILLIAMS, P.C.



Charles M. Williams, #5342

303 East 17<sup>th</sup> Avenue, Suite 888

Denver, CO 80203

Phone: 303-831-9006

Fax: 303-830-6813

Attorney for Intervenors

**CERTIFICATE OF MAILING**

I, the undersigned, certify that on June \_\_, 2011, I served the foregoing STIPULATED MOTION OF M T ACQUISITIONS, LLC D/B/A MOUNTAINS TAXI AND CASINO TRANSPORTATION, INC. AND FOUR WINDS, INC. D/B/A PEOPLE'S CHOICE TRANSPORTATION, INC. TO RESTRICTIVELY AMEND THE APPLICATION, FOR CONDITIONAL WITHDRAWAL OF INTERVENORS' INTERVENTION, AND FOR A WAIVER OF RESPONSE TIME on the following via U.S. Mail, postage prepaid, and addressed as follows:

M T Acquisitions, LLC  
d/b/a Mountains Taxi  
P.O. Box 694  
Conifer, CO 80433

Mr. Craig Caldwell  
Mr. Rob Waterman  
Mr. Dale Coykendall  
Casino Transportation, Inc.  
13150 W. 43<sup>rd</sup> Dr. #1  
Golden, CO 80403

IN THE MATTER OF THE APPLICATION OF M T ACQUISITIONS, LLC, DOING BUSINESS AS MOUNTAINS TAXI FOR AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55768.

**DOCKET NUMBERS:**

11A-367CP-EXT  
11A-367CP-EXT-TA

**APPLICANT:**

M T Acquisitions, LLC  
doing business as  
Mountains Taxi  
P.O. Box 694  
Conifer, CO 80433

**FILED ON:**

April 22, 2011

**TYPES:**

Permanent and Temporary

For an order of the Commission authorizing an extension of Certificate of Public Convenience and Necessity (CPCN) PUC No. 55768. The extension of CPCN PUC No. 55768 reads as follows: Transportation of passengers in call-and-demand limousine service between all points in the following area: commencing at the intersection of Colorado State Highway 119 and U. S. Highway 6, near the boundaries of the Counties of Jefferson, Gilpin, and Clear Creek, State of Colorado, thence east along U.S. Highway 6 to its intersection with Jefferson County Parkway, thence east and south along Jefferson County Parkway to its intersection with Johnson Road, thence south along Johnson Road to its transition to Interstate C-470, thence south and east along Interstate C-470 to its intersection with the boundary of the County of Jefferson, thence south along the boundary of the County of Jefferson to a point one mile south of its intersection with Jefferson County Road 96 (South Platte River Road), thence west along an imaginary line to a point 8 miles west of the eastern boundary of the County of Park, thence north along an imaginary line for 28.25 miles, thence east along an imaginary line to State Highway 119, thence southeast along State Highway 119 to the point of beginning, and between said points, on the one hand, and all points in the State of Colorado, on the other hand. Applicant has not filed its testimony and exhibits with its application and is seeking a Commission decision within 210 days.

IN THE MATTER OF THE APPLICATION OF SKY TAXI, LLC, FOR A TEMPORARY AUTHORITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**DOCKET NUMBER:**

11A-328CP-TA

**APPLICANT:**

Sky Taxi, LLC  
P.O. Box 3034  
Breckenridge, Co 80424

**FILED ON:**

April 12, 2011

**TYPE:**

Temporary

Transportation of passengers in call-and-demand taxi service between all points in Summit County, State of Colorado. Applicant has not filed its testimony and exhibits with its application and is seeking a Commission decision within 210 days. **Notices to intervene as of right or motions to permissively intervene in this docket must be filed with the Commission within five (5) days of the date of this notice.**

**MT Acquisitions, LLC. dba Mountains Taxi**  
*Serving the West Suburban Mountain Communities  
In Jefferson, Park, Clear Creek and Gilpin Counties*

5/23/2011

Colorado Public Utilities Commission  
1560 Broadway, Suite 200  
Denver, CO 80202

Re: **Docket No. 11A-367CP-EXT – MT Acquisitions, LLC d/b/a Mountains Taxi**

Dear Commission:

MT Acquisitions, LLC dba Mountains Taxi requests to amend its application in the above mentioned Proceeding pending the following. To amend the requested authority to read:

“Transportation of passengers in call-and-demand limousine service between all points in the following area: commencing at the intersection of Colorado State Highway 119 and U. S. Highway 6, near the boundaries of the Counties of Jefferson, Gilpin, and Clear Creek, State of Colorado, thence east along U.S. Highway 6 to its intersection with Jefferson County Parkway, thence east and south along Jefferson County Parkway to its intersection with Johnson Road, thence south along Johnson Road to its transition to Interstate C-470, thence south and east along Interstate C-470 to its intersection with the boundary of the County of Jefferson, thence south along the boundary of the County of Jefferson to a point one mile south of its intersection with Jefferson County Road 96 (South Platte River Road), thence west along an imaginary line to a point 8 miles west of the eastern boundary of the County of Park, thence north along an imaginary line to the southern boundary of the County of Gilpin, thence southeast along the boundary of the County of Gilpin to State Highway 119, thence southeast along State Highway 119 to the point of beginning, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.”

This application is restricted (A) against providing transportation services to or from Denver International Airport, Denver, Colorado.

Respectfully Submitted

*Original signature on file at the office  
of the undersigned managing member.*

Donald Bosch

Managing Member

MT Acquisitions, LLC

dba Mountains Taxi

CPCN PUC #55768

PO Box 694

Conifer, CO 80433

Ex. B