

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0749CP-LEASE

IN THE MATTER OF THE APPLICATION OF HEART OF THE ROCKIES TOURS, LLC,
LESSOR, AND BROTHERS AIRPORT SHUTTLE EXPRESS, LLC, LESSEE, FOR
APPROVAL OF THE LEASE OF CPCN NO. 55779.

**COMMISSION DECISION TERMINATING
SUSPENSION OF OPERATIONS**

Mailed Date: December 9, 2014
Adopted Date: December 3, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On July 9, 2014, Heart of the Rockies Tours, LLC (Lessor) and Brothers Airport Shuttle Express, LLC,¹ (Lessee) filed an application seeking authority to lease Certificate of Public Convenience and Necessity (CPCN) PUC No. 55779 for a period of two years.

2. On October 30, 2014, the application was granted by Recommended Decision No. R14-1317. Before operations under the leased authority could begin, pursuant to Ordering Paragraph No. 6 of the Recommended Decision, Lessee was required to file a number of compliance items, and the suspension of the authority which had been granted in Proceeding No. 13A-1344CP-Suspension through December 15, 2014, had to expire.

3. Lessor filed a Motion in Proceeding No. 13A-1344CP-Suspension and a Motion in this Proceeding on November 20, 2014. Both Motions requested that the suspension of

¹ Lessee filed a Name Change in this Proceeding on November 10, 2014, indicating that Lessee had changed its name to Colorado Mount Express LLC with the Colorado Secretary of State and that compliance items would accordingly be filed under the name Colorado Mount Express LLC.

CPCN PUC No. 55779 be ended as soon as possible to allow Lessee to begin operations under the leased authority for the benefit of the public.

4. The Recommended Decision became a Commission Decision pursuant to § 40-6-109(2), C.R.S., on November 19, 2014.

5. Under § 40-6-112(1), C.R.S., “[t]he commission, at any time upon notice to the public utility affected ... may rescind, alter, or amend any decision made by it. Any decision rescinding, altering, or amending a prior decision, when served upon the public utility affected, shall have the same effect as original decisions.”

6. The Commission will grant the Motion to end the suspension of CPCN PUC No. 55779, and accordingly amend Ordering Paragraph No. 6 of Recommended Decision No. R14-1317 pursuant to § 40-6-112, C.R.S., to reflect this change.

II. ORDER

A. The Commission Orders That:

1. The Motion filed by Heart of the Rockies Tours LLC in this Proceeding to Modify Recommended Decision No. R14-1317 is hereby granted to reflect that the suspension of Certificate of Public Convenience and Necessity (CPCN) PUC No. 55779 has been ended as of the mailing date of Decision No. C14-1454.

2. CPCN PUC No. 55779 is administratively reactivated as of the mailing date of this Decision.

3. 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 orders this Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 3, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PAMELA J. PATTON

GLENN A. VAAD

Commissioners

CHAIRMAN JOSHUA B. EPEL
ABSENT.