

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-1085CP-TRANSFER

IN THE MATTER OF THE APPLICATION OF VALERA LEA HOLTORF, DOING BUSINESS AS DASHABOUT SHUTTLE CO &/OR ROADRUNNER EXPRESS AND VALERA LEA HOLTORF DOING BUSINESS AS DASHABOUT TOWN TAXI FOR APPROVAL TO TRANSFER CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55683 AND PUC NO. 55790 TO DASHABOUT TOWN TAXI, LLC.

**COMMISSION DECISION APPROVING
TRANSFER OF CERTIFICATES OF PUBLIC
CONVENIENCE AND NECESSITY**

Mailed Date: December 24, 2014
Adopted Date: December 22, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On November 5, 2014, Valera Lea Holtorf, doing business as Dashabout Shuttle Co &/or Roadrunner Express and Valera Lea Holtorf, doing business as Dashabout Town Taxi filed an application for approval to transfer Certificates of Public Convenience and Necessity (CPCN) PUC No. 55683 and No. 55790 to Dashabout Town Taxi, LLC.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on November 17, 2014.

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 hearing.

4. The information submitted with this application complies with Rule 6205(c) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR)

723-6, and warrants the granting of the requested transfer. In particular, pursuant to Rule 6205(c)(XVI), 4 CCR 723-6, the information submitted with the application establishes the following:

- (A) that the transferor has not abandoned the authority and has not allowed the authority to become dormant;
- (B) that the transferor has been and is engaged in bona fide operations under its authority ...;
- (C) that the transfer is not contrary to the public interest;
- (D) that the transfer will not result in the common control or ownership of duplicating overlapping authorities; and
- (E) that the transferee will engage in bona fide regulated intrastate carrier operations and is fit to do so[.]

5. The financial standing of Dashabout Town Taxi, LLC, a limited liability company in good standing with the Colorado Secretary of State, has been satisfactorily established.

6. This application for permanent approval of the transfer of CPCN PUC No. 55683 and CPCN PUC No. 55790 is in the public interest and will be granted.

II. ORDER

A. The Commission Orders That:

1. This application was deemed complete on December 22, 2014, within the meaning of § 40-6-109.5, C.R.S.

2. The application filed by Valera Lea Holtorf, doing business as Dashabout Shuttle Co &/or Roadrunner Express and Valera Lea Holtorf, doing business as Dashabout Town Taxi for approval to transfer Certificates of Public Convenience and Necessity (CPCN) PUC No. 55683 and No. 55790, subject to encumbrances, if any, against the authorities, to Dashabout Town Taxi, LLC, is granted.

3. Dashabout Town Taxi, LLC shall operate in accordance with all applicable Commission rules and regulations.

4. Valera Lea Holtorf, doing business as Dashabout Shuttle Co &/or Roadrunner Express and Valera Lea Holtorf, doing business as Dashabout Town Taxi, shall file terminating annual reports from the first of January to the date of this Decision.

5. Dashabout Town Taxi, LLC shall not commence operation until it has:

- (a) caused proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission in accordance with applicable rules;
- (b) paid to the Commission, the motor vehicle fee (\$5) for each vehicle to be operated under authority granted by the Commission, or in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;
- (c) filed an adoption notice that adopts as its own the currently effective tariff of Valera Lea Holtorf, doing business as Dashabout Shuttle Co &/or Roadrunner Express and Valera Lea Holtorf, doing business as Dashabout Town Taxi;
- (d) paid the applicable issuance fee (\$5);
- (e) filed an acceptance of transfer form, executed by Valera Lea Holtorf, doing business as Dashabout Shuttle Co &/or Roadrunner Express and Valera Lea Holtorf, doing business as Dashabout Town Taxi, and Dashabout Town Taxi, LLC; and,
- (f) received notice in writing from the Commission that it is in compliance with the above requirements and may begin service.

6. If Valera Lea Holtorf, doing business as Dashabout Shuttle Co &/or Roadrunner Express and Valera Lea Holtorf, doing business as Dashabout Town Taxi and Dashabout Town Taxi, LLC do not comply with the requirements of this Decision within 60 days of its effective date, then the approval to transfer CPCNs PUC No. 55683 and No. 55790 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.

7. Within six months of the Mailed Date of this Decision, Dashabout Town Taxi, LLC shall file an advice letter and tariff in its own name.

8. 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.

9. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 22, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners