

(Decision No. C92-27)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

APPLICATION OF MAJOR MARKETING)	
ENTERPRISES, INC., DOING BUSINESS)	
AS SIERRA VISTA TOURS, FOR A)	DOCKET NO. 91A-260CP
WAIVER OF RULE NO. 12 (INSURANCE))	
GOVERNING COMMON CARRIERS BY MOTOR)	
VEHICLE FOR HIRE.)	
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**COMMISSION ORDER
STAYING DECISION**

Mailed date: January 15, 1992
Adopted date: January 8, 1992

STATEMENT

BY THE COMMISSION:

By Recommended Decision No. R91-1722, dated December 31, 1991, Administrative Law Judge Michael R. Homyak, granted a waiver of Common Carrier Rule No. 12, thereby allowing Major Marketing Enterprises, Inc., doing business as Sierra Vista Tours (Sierra), to operate vehicles with a passenger capacity of 16 or more to be insured at \$1,000,000 instead of \$5,000,000, as required by Rule No. 12.3, Rules and Regulations Governing Common Carriers by Motor Vehicle.

Although the Commission is aware that Sierra would chose not to operate if it is required to maintain \$5,000,000 insurance, the Commission notes that Sierra did not operate in 1991 (Decision No. R91-1722, Findings of Fact and Conclusions Thereon, ¶ 3, P 2), and that Sierra's operating authority is presently in suspension. The Commission is concerned that the carrier may not have considered alternative methods of operation which may reduce the amount of its insurance premiums, such as seasonal operations only, operating smaller vehicles, or modifying existing vehicles. Also, the Commission is concerned that, if Recommended Decision No. R91-1722

is allowed to become effective, Sierra will operate vehicles with sixteen, or greater, passenger capacity, with only \$1,000,000 insurance.

The Commission has determined that it will reconsider this docket on its own motion under § 40-6-109(2), C.R.S., and therefore, Decision No. R91-1722 is stayed pending final determination of this docket by the Commission. Since Sierra did not operate in 1991 and its operating authority is presently in suspension, this stay will simply maintain the status quo.

THEREFORE THE COMMISSION ORDERS THAT:

1. The Commission, upon its own motion, will reconsider this docket and Recommended Decision No. R91-1722 is stayed pending final determination of this matter by the Commission.

2. This Order is effective on its date of mailing.

ADOPTED IN OPEN MEETING January 8, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

ORDER-CS

APPLICANT:

Major Marketing Enterprises, Inc.
d/b/a Sierra Vista Tours
521 Main Street
P.O. Box 207
Blanca, CO 81123

MISCELLANEOUS:

Carol Smith Rising
Assistant Attorney General
110 -16th Street, 10th Floor
Denver, CO 80202
INTERDEPARTMENT MAIL

Brad Mallon, Director
Office of Policy & Research
1560 Broadway, Suite 1550
Denver, CO 80202
INTERDEPARTMENT MAIL

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