

(Decision No. C92-401)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF MAGIC)
MOUNTAIN EXPRESS, INC., FOR)
AUTHORITY TO TRANSFER CONTRACT)
CARRIER PERMIT NO. B-9629 TO HOUG) DOCKET NO. 92A-010BY-TRANSFER
ENTERPRISES, INC., DOING)
BUSINESS AS MAGIC MOUNTAIN)
TRANSPORTATION, INC..)
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**COMMISSION ORDER
GRANTING TRANSFER**

Mailed date: March 19, 1992
Adopted date: March 18, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. Proper notice of the filing of this application has been given under § 40-6-108(2), C.R.S. No petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed. This proceeding is noncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

2. The evidence submitted warrants the approval of the transfer as ordered.

3. The financial standing of the Transferee has been satisfactorily established and the transfer is in the public interest.

4. The Transferee is fit, willing, and able to properly engage in bona fide motor carrier operations under the authority to be transferred.

THEREFORE THE COMMISSION ORDERS THAT:

1. Applicants are authorized to transfer Contract Carrier Permit No. B-9629, subject to encumbrances, if any, against said authority.

2. The right of Transferee to operate under this Order shall depend on its compliance with all present and future laws and Commission rules and regulations, and the prior filing by Transferor of delinquent reports, if any, covering operations under the Permit up to the time of transfer.

3. Transferee shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Transferee shall also adopt the tariff of the Transferor which shall become that of Transferee until changed according to law. Transferee shall pay the vehicle identification fee. Transferor shall file a terminating annual report from the 1st of January to the date of this Order. Applicants shall file an acceptance of transfer signed by both the Transferor and Transferee. Operations may not begin until these requirements have been met. If the Applicants do not comply with the requirements of this ordering paragraph within 60 days of the effective date of this Order then ordering paragraph 1 above, which grants authority to the Transferee, shall be void, and the authority granted shall then be void. On good cause shown, the Commission may grant additional time for compliance, if the request for additional time is filed within the 60 days.

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

ADOPTED IN OPEN MEETING on March 18, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

TRANSFeree:

Houg Enterprises, Inc.
DBA Magic Mountain Transportation, Inc.
5151 Bannock Street
Denver, CO 80216

TRANSFEROR:

Magic Mountain Express, Inc.
50 Visco Court
Nashville, TN 37210

ATTORNEY FOR TRANSFeree & TRANSFEROR:

Nancy P. Bigbee
Attorney for Applicants
1580 Logan Street, No. 500
Denver, CO 80203

MISCELLANEOUS:

Brad Mallon, Director
Office of Policy & Research
Dept. of Regulatory Agencies
1560 Broadway, Suite No. 1550
Denver, CO 80202

ROUTE:

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