

(Decision No. C92-459)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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THE APPLICATION OF DIANA LEZARK,)
DBA EVERGREEN SHUTTLE SERVICE,)
FOR EMERGENCY TEMPORARY) DOCKET NO. 92A-150BP-ETA
AUTHORITY TO CONDUCT OPERATIONS)
AS A CONTRACT CARRIER BY MOTOR)
FOR HIRE.)
- - - - -

**COMMISSION ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY IN PART**

Mailed date: April 3, 1992
Adopted dated: April 1, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On March 23, 1992, Diana Lezark, doing business as Evergreen Shuttle Service (Evergreen), filed Docket No. 92A-150BP-ETA for emergency temporary authority to conduct operations as a contract carrier by motor vehicle for hire for the transportation of passengers and their baggage, between points in the Counties of Clear Creek and Jefferson, State of Colorado, on the one hand, and points in Black Hawk and Central City, on the other hand. This application is restricted to providing service for only the Gold Mine Casino (Gold Mine).

2. By § 40-6-120, C.R.S., the application for emergency temporary authority is under consideration for a Commission order.

3. Section 40-6-120, C.R.S., authorizes the Commission to grant emergency temporary authority when there appears to be ". . . an emergency need to any point or within a territory having no carrier service capable of meeting such need."

4. The support filed on behalf of this Applicant indicates that the Gold Mine Casino has entered into a contract with Evergreen to provide shuttle service for its employees. The service points cited include Idaho springs, Georgetown, Evergreen, Bergen Park, and Conifer, Colorado. Gold Mine states that it has entered into a contract with another company to provide service from the Denver area.

Further, Gold Mine states that its employees need service as early as 7 a.m. and as late as 3:15 a.m., seven days a week.

Since there is no support for points in Jefferson County, other than those stated above, the Commission will grant the application in part.

5. The Commission finds due to the facts stated in paragraph 4 above, there is an immediate and urgent need for additional transportation services. The Commission will grant the application in part.

6. The Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority sought and is willing, ready, and able to operate under all Commission rules and regulations governing carriers by motor vehicle.

7. This application for emergency temporary authority is in the public interest and should be granted in part.

8. The Applicant is advised that the granting of an emergency temporary authority makes no presumption that temporary or permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Diana Lezark, doing business as Evergreen Shuttle Service, is granted emergency temporary authority to conduct operations as a contract carrier for a period of 15 days commencing from the mailed date of this Order, with authority as set forth in the attached appendix.

2. Diana Lezark, doing business as Evergreen Shuttle Service, shall not commence operations until all requirements have been met and notice in writing has been received from the Commission that the Applicant is in compliance and may begin service.

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 or serves this decision.

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

ADOPTED IN OPEN MEETING on April 1, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

ORDER-DX

Transportation of passengers and their baggage

between points in the area comprised of: (1) the County of Clear Creek, State of Colorado; and (2) that portion of the County of Jefferson lying south of I-70, north of U.S. Highway 285, and west of a line drawn from the intersection of I-70 and exit 256 to the intersection of U.S. 285 and Colorado State Highway 8, on the one hand, and points in Black Hawk and Central City, on the other hand.

Restriction: This permit is restricted to providing service for only the Gold Mine Casino.

ORDER-DX

APPLICANT:

Diana Lezark
dba Evergreen Shuttle Service
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