

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF SHAMROCK TAXI)
OF FT. COLLINS, INC. FOR)
TEMPORARY APPROVAL TO ASSUME)
OPERATIONAL CONTROL OF)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY PUC)
NO. 13043 PENDING COMMISSION)
CONSIDERATION OF THE RELATED)
APPLICATION TO PERMANENTLY)
ACQUIRE THE CERTIFICATE FROM THE)
ESTATE OF JOHN ELLS, JR., DOING)
BUSINESS AS YELLOW CAB COMPANY)
OF FT. COLLINS.)

DOCKET NO. 92A-206CP-
TRANSFER-TA

- - - - -

**COMMISSION ORDER GRANTING
TEMPORARY APPROVAL**

Mailed date: June 25, 1992
Adopted date: June 19, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On June 3, 1992, Shamrock Taxi of Ft. Collins, Inc., filed Docket No. 92A-206CP-Transfer-TA for temporary approval to assume operational control of Certificate of Public Convenience and Necessity PUC No. 13043 pending Commission consideration of the related application to permanently acquire the certificate from the estate of John Ells, Jr., by Jim Ells and JoAnn Hart, Personal Representatives, doing business as Yellow Cab Company of Ft. Collins.

2. The Commission gave notice of the application on June 8, 1992.

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

4. Section 40-6-120(1), C.R.S., authorizes the Commission to grant temporary approval ". . . if it appears that failure to grant such temporary approval may result in destruction of or injury to such carrier or carrier properties sought to be acquired or to interfere substantially with their future usefulness in the performance of adequate and continuous service to the public."

5. The support filed on behalf of this application indicates that Mr. John Ells operated the business until his death recently. The personal representatives have neither the time nor inclination to operate the authority.

6. The Commission finds due to the facts stated in paragraph 5 above, that failure to grant the application could result in injury to the certificate and ultimately effect service to the public. The Commission will therefore grant the application.

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

8. This application for temporary approval is in the public interest and should be granted.

9. The Applicant is advised that the granting of a temporary approval makes no presumption that permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Shamrock Taxi of Ft. Collins, Inc. is granted temporary approval to conduct operations under Certificate of Public Convenience and Necessity PUC No. 13043 for a period of 180 days commencing from the mailed date of this order.

2. Shamrock Taxi of Ft. Collins, Inc. 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.

DONE IN SPECIAL OPEN MEETING June 19, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN ARNOLD H. COOK ABSENT.

ORDER-FR

TRANSFeree:

Shamrock Taxi of Ft. Collins, Inc.
P. O. Box 88
Windsor, CO 80550

TRANSFEROR:

The Estate of John Ells, Jr.
Jim Ells and JoAnn Hart, Personal Representatives
dba Yellow Cab Company of Ft. Collins
718 North 11th Avenue
Greeley, CO 80631

APPLICANTS' ATTORNEY:

Charles J. Kimball, Esq.
KIMBALL & NESPOR, P.C.
1775 Sherman Street
Suite No 1500
Denver, CO 80203

MISCELLANEOUS:

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

ROUTE:

1	10	60
2	15	Black Book
3	20	Text Management
4	30	Operating Rights Unit
4.1	31 (5 copies)	DMS (plus certificate)
6-Docketing	40 (7 copies)	ORDER-FR
9	50	