

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF TENDER CARE)
TRANSPORTATION SERVICES, INC.,)
FOR TEMPORARY AUTHORITY TO) DOCKET NO. 92A-320BP-TA
CONDUCT OPERATIONS AS A CONTRACT)
CARRIER BY MOTOR VEHICLE FOR)
HIRE.)
- - - - -

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: August 17, 1992
Adopted date: August 12, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On July 1, 1992, TenderCare Transportation Services, Inc. filed Docket No. 92A-320BP-TA for temporary authority to conduct operations as a contract carrier by motor vehicle for hire for the transportation of passengers and their baggage between all points in the area comprised of the Counties of Denver, Adams, Arapahoe, Boulder, Jefferson, Gilpin, Larimer, Weld, El Paso, Pueblo, Eagle, Summit, Fremont, and Douglas, State of Colorado. Restricted to providing service for only: Lyons Playhouse; Skyland Recreation Center/Department of Parks and Recreation (Denver); The Alliance of Black Telecommunication Employees, Inc.; Frontier Scouts (Boy Scouts of America); Shakira Hendricks; and Eulipions, Inc.

2. The Commission gave notice of the application on July 6, 1992. Interventions opposing a grant of the application were filed by Black Hawk-Central City Ace Express, Inc. and Central City/Black Hawk Stage Lines, Inc. The application was subsequently amended by the Applicant and the intervenors withdrew their opposition.

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 authority when there appears to be ". . . an immediate and urgent need to any point or within a territory having no carrier service capable of meeting such need."

5. The support filed on behalf of this application indicates there is as immediate and urgent need for additional transportation services. The Commission will grant the application.

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 temporary authority is in the public interest and should be granted.

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

THEREFORE THE COMMISSION ORDERS THAT:

1. TenderCare Transportation Services, Inc. is granted temporary authority to conduct operations as a contract carrier by motor vehicle for hire for a period of 180 days commencing from the mailed date of this order, with authority as set forth in the attached appendix.

2. TenderCare Transportation Services, Inc. shall not commence operation 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 OPEN MEETING on August 12, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

ORDER-GT

Appendix A
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Decision No. C92-1046
Docket No. 92A-320BP-TA
August 12, 1992

Transportation of

passengers and their baggage

between all points in the area comprised of the Counties of Denver, Adams, Arapahoe, Boulder, Jefferson, Gilpin, Larimer, Weld, El Paso, Pueblo, Eagle, Summit, Fremont, and Douglas, State of Colorado.

This Permit is restricted as follows:

- (1) to providing service for only: Lyons Playhouse; Skyland Recreation Center/Department of Parks and Recreation (Denver); The Alliance of Black Telecommunication Employees, Inc.; Frontier Scouts (Boy Scouts of America); Shakira Hendricks; Eulipions, Inc.; and
- (2) against providing service to or from points located within a five-mile radius of the towns of Central City or Black Hawk, Colorado.

ORDER-GT

APPLICANT:

TenderCare Transportation Services, Inc.
3232 Pontiac Street
Denver, CO 80207

INTERVENOR:

Black Hawk-Central City Ace Express, Inc.
P. O. Box 132
Black Hawk, CO 80422

INTERVENOR'S ATTORNEY:

Charles J. Kimball, Esq.
KIMBALL & NESPOR, P.C.
1775 Sherman Street, Suite 1500
Denver, CO 80203

INTERVENOR:

Central City/Black Hawk Stage Lines, Inc.
P. O. Box 414
Central City, CO 80422

INTERVENOR'S ATTORNEY:

Dale E. Isley, Esq.
WILLIAMS & ISLEY, P.C.
1775 Sherman Street
1225 Mellon Financial Center
Denver, CO 80203

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