

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF MOON)
ENTERPRISES LTD., FOR TEMPORARY)
AUTHORITY TO CONDUCT OPERATIONS)
AS A CONTRACT CARRIER BY MOTOR) DOCKET NO. 92A-369BY-TA
VEHICLE FOR HIRE.)
- - - - -)

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: August 26, 1992
Adopted date: August 26, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On July 23, 1992, Moon Enterprises Ltd. filed Docket No. 92A-369BY-TA for temporary authority to conduct operations as a contract carrier by motor vehicle for hire for the transportation of paper and printed material between all points in the State of Colorado. This application is restricted to providing service for only PDQ Printing, Evergreen, Colorado.

2. The Commission gave notice of the application on August 3, 1992. An intervention opposing a grant of the application was filed by Northwest Transport Service, Inc. The application was amended on August 20, 1992, and the intervention was subsequently withdrawn.

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 that shipper has contacted Applicant to do pickup and delivery of paper and printing supplies on a same-day-service. Applicant has stated that they can offer same-day-service, which is the primary reason shipper has contacted Applicant.

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

7. 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.

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

9. 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. Moon Enterprises Ltd. 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. Moon Enterprises Ltd. 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 26, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

ORDER-GW

Appendix A
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Decision No. C92-1088
Docket No. 92A-369BY-TA
August 26, 1992

Transportation of

paper and printed material

from Evergreen, Colorado, on the one hand, to points within a ten-mile radius of the intersection of Colfax Avenue and Broadway, in Denver, Colorado, on the other hand.

This Permit is restricted:

- (1) to providing service for only PDQ Printing, Evergreen, Colorado; and
- (2) to the transportation of items weighing 85 pounds or less.

ORDER-GW

APPLICANT:

Moon Enterprises Ltd.
4801 South Blue Spruce Road
Evergreen, CO 80439

INTERVENORS:

Northwest Transport Service, Inc.
Westway Express, Inc.
P. O. Box 5001
Commerce City, CO 80037-5001

INTERVENOR'S ATTORNEY:

David E. Driggers, Esq.
JONES & KELLER, P.C.
Suite No. 1600
1625 Broadway
Denver, CO 80202

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