

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF FAST WHEELS)	
DELIVERY, INC., FOR TEMPORARY)	
AUTHORITY TO CONDUCT OPERATIONS)	DOCKET NO. 92A-561BY-
AS A CONTRACT CARRIER BY MOTOR)	EXTENSION-TA
VEHICLE FOR HIRE.)	
- - - - -)	

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: November 25, 1992
Adopted date: November 25, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On October 29, 1992, Fast Wheels Delivery, Inc., filed an application (Docket No. 92A-561BY-Extension-TA) for temporary authority to conduct operations as a contract carrier by motor vehicle for hire for the transportation of general commodities between all points located within an 11-mile radius of the intersection of Colfax Avenue and Broadway in Denver, Colorado, restricted to providing service for only the Price Club.

2. The Commission gave notice of the application on November 9, 1992. An intervention opposing a grant of the application was filed by Arvada Transfer Co.

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 the Price Club in the past has used two carriers licensed by this Commission but has been extremely dissatisfied with the service of one carrier and has had numerous business complications that have led to ill feelings with the other carrier.

Price Club also states that it tried to contact other carriers to move its goods but that they could not meet shipper's requirements or did not seem eager to solicit the business. Price Club called every carrier listed in the Yellow Pages.

6. The Commission finds due to the facts stated in paragraph 5 above, there is no immediate and urgent need for additional transportation services, and there is no carrier service capable of meeting the need, because they are unable or unwilling to provide the service. 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 a temporary authority makes no presumption that permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Fast Wheels Delivery, Inc. is granted temporary authority to conduct operations as a contract carrier by motor vehicle for hire for a period of 150 days commencing from the mailed date of this order, with authority as set forth in the attached Appendix.

2. Fast Wheels Delivery, 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. If the Applicant does not comply with the requirements of this ordering paragraph within 30 days after the effective date of this Order, ordering paragraph 1 above, which grants authority to the Applicant, shall be void, and the authority granted shall then be void.

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 November 25, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER GARY L. NAKARADO
ABSENT, BUT CONCURRING IN THE
RESULT.

ORDER-JN

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Appendix A
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Decision No. C92-1488
Docket No. 92A-561BY-
Extension-TA
November 25, 1992

Transportation of

general commodities

between all points located within an eleven-mile radius of the intersection of Colfax Avenue and Broadway in Denver, Colorado.

Restricted to providing service for only the Price Club.

ORDER-JN

APPLICANT:

Fast Wheels Delivery, Inc.
13024 East Robins Dr.
Denver, CO 80239

INTERVENOR:

Arvada Transfer Co.
7051 53rd Place
Commerce City, CO 80222

INTERVENOR'S ATTORNEY:

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

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