

(Decision No. C92-1548)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF TENDER CARE)
TRANSPORTATION SERVICES, INC.,)
FOR TEMPORARY AUTHORITY TO)
CONDUCT OPERATIONS AS A CONTRACT)
CARRIER BY MOTOR VEHICLE FOR)
HIRE.)
- - - - -

DOCKET NO. 92A-609BP-TA

**COMMISSION ORDER DENYING
TEMPORARY AUTHORITY**

Mailed date: December 11, 1992
Adopted date: December 10, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On November 9, 1992, TenderCare Transportation Services, Inc., filed application (Docket No. 92A-609BP-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 State of Colorado. This application is restricted to providing service for only La Quinta Motor Inns, Inc. and Full Circle Inter-Generational Project Groups.

2. Interventions opposing the application were timely filed by Yellow Cab Cooperative Association, doing business as Yellow Cab, Inc. and d/b/a Boulder Yellow Cab, Inc. and its division, Denver Airport Limousine Service, Inc.; Dee Hive Tours; and Black Hawk - Central City Ace Express, Inc.

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 emergency 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 does not establish that there is an immediate and urgent need for transportation services or that there is no carrier capable of providing the service.

6. This application for temporary authority is not in the public interest and should be denied.

THEREFORE THE COMMISSION ORDERS THAT:

1. This application is denied.

2. 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.

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

ADOPTED IN SPECIAL OPEN MEETING December 10, 1992

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN ROBERT E. TEMMER ABSENT.

ORDER-JW

APPLICANT:

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

INTERVENOR:

Yellow Cab Cooperative Association
dba Yellow Cab, Inc.
dba Boulder Yellow Cab, Inc.
and its division, Denver Airport
Limousine Service, Inc.
3455 Ringsby Court
Denver, CO 80216

INTERVENOR'S (YELLOW) ATTORNEY:

Richard J. Bara, Esq.
1155 Sherman Street, Suite 315
Denver, CO 80203

INTERVENOR:

Dee Hive Tours
Attn: Ms. Deanna R. Cline
506 Harrison Avenue
Leadville, CO 80461

INTERVENOR'S (DEE HIVE) ATTORNEY:

Joseph J. Folz, Jr., Esq.
12343 East Cornell Avenue
Aurora, CO 80014

INTERVENOR:

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

INTERVENOR'S (BLACK HAWK)

ATTORNEY:

Charles J. Kimball, Esq.
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