

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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INCREASED RATES AND CHARGES FOR THE)	
TRANSPORTATION OF PASSENGERS FILED)	
BY ALPINE EXPRESS, INC., IN 3RD)	INVESTIGATION & SUSPENSION
REVISED PAGE NO. 18 TO PASSENGER)	
TARIFF NO. 2, COLORADO PUC NO. 2,)	DOCKET NO. 93S-599CP
SCHEDULED TO BECOME EFFECTIVE)	
NOVEMBER 1, 1993.)	

**ORDER OF COMMISSION SUSPENDING EFFECTIVE DATE
AND SETTING MATTER FOR HEARING**

Mailed Date: October 29, 1993
Adopted Date: October 21, 1993

IMPORTANT NOTICE: ANY PERSON DESIRING TO PARTICIPATE ONLY BY MAKING A STATEMENT MAY DO SO BY APPEARING AT THE HEARING.

IF YOU DESIRE TO ASK QUESTIONS OF A WITNESS OR OTHERWISE PARTICIPATE AS A PARTY IN THIS RATE MATTER, YOU MUST REQUEST PERMISSION FROM THE COMMISSION TO BE AN INTERVENOR (EVEN IF YOU HAVE ALREADY FILED AN OBJECTION). ANYONE DESIRING TO INTERVENE MUST CAREFULLY FOLLOW THE LAW AND COMMISSION RULES FOR BECOMING AN INTERVENOR. FOR FURTHER INFORMATION ON HOW TO INTERVENE CALL (303) 894-2070, (PUC EXTERNAL AFFAIRS OFFICE).

STATEMENT, FINDINGS OF FACT, AND CONCLUSIONS

BY THE COMMISSION:

On September 26, 1993, Alpine Express, Inc., filed 3rd Revised Page No. 18 to Passenger Tariff No. 2, Colorado PUC No. 2. These proposed tariff changes result in increased rates for the transportation of passengers in call-and-demand and special bus service between Gunnison and Crested Butte and between Crested Butte and Aspen, Colorado Springs, Denver, Grand Junction, and Montrose.

Staff analysis indicates that the proposal may result in increases in rates of up to 75 percent.

A protest letter containing 21 signatures was received that outlines a number of concerns from citizens in the area. The financial justification for these increases is based upon a twelve-month period ending December 1992. However, the justification did not provide sufficient detail to support the cost increases for which approval was sought. The Commission, therefore, is unable to determine revenue need or whether the proposed rates are just and reasonable.

The Commission believes a hearing concerning the propriety of the tariff filing is required and the effective date of November 1, 1993, should be suspended.

THEREFORE THE COMMISSION ORDERS THAT:

1. It shall enter into a hearing concerning the lawfulness and propriety of 3rd Revised Page No. 18 to Passenger Tariff No. 2, Colorado PUC No. 2, filed by Alpine Express, Inc.

2. This Investigation and Suspension Docket No. 93S-599CP is set for hearing before an administrative law judge on:

Date: February 3, 1994
Time: 9:00 a.m
Place: Logan Tower
Office Level Two
Denver, CO 80203

3. Third Revised Page No. 18 to Passenger Tariff No. 2, Colorado PUC No. 2, is suspended for a period of 120 days, or until March 1, 1994, unless otherwise ordered by the Commission. If Alpine Express, Inc. has begun to charge any of the suspended rates, it shall immediately cease and desist from such activity.

4. The investigation in this proceeding shall not be limited to the matter and issue stated here for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of the proposal under the Public Utilities Law.

5. A copy of this order shall be filed in the office of the Commission and a copy shall be served upon Michael I. Potoker, President, Alpine Express, Inc., P. O. Box 1250, Gunnison, Colorado 81230.

6. Neither the tariff filing suspended here nor that sought

to be altered by this filing shall be changed until this proceeding has been completed or until the period of suspension or any extension has expired, unless otherwise ordered by the Commission.

7. Any person, firm or corporation, including any who have previously filed an objection, who desires to intervene and participate as a party in this proceeding, shall file an appropriate pleading for intervention with the Commission within 30 days after the mailed date of this decision and shall serve a copy of the pleading upon Respondent, its tariff publishing agent, and its attorney, if any. The Staff of the Commission shall be a party in this proceeding and need not file an entry of appearance or notice of intervention since this proceeding will be opened upon Staff's suggestion. Rule 20 of the Commission's Rules of Practice and Procedure is waived for this limited purpose.

8. Respondent is directed to file with the Director of the Commission six copies of a list containing the name, address, and title of each of its witnesses and ten copies of a list of the proposed testimony and exhibits to be presented at the hearing 60 days prior to the first day of hearing and serve copies upon intervenors and their attorneys, if any.

9. Intervenors (including Staff) are directed to file with the Director of the Commission ten copies of a list containing the name, address, and title of each witness, and ten copies of proposed testimony and exhibits to be presented at the hearing 20 days prior to the first day of hearing and serve copies upon Respondent, and other intervenors and their attorneys, if any.

10. No witness shall be permitted to testify nor shall any document be received in evidence, except in rebuttal, unless served and filed as required in this decision.

11. Upon motion of the Commission or any party, the suspended tariff filing may be rejected by the Commission if the Respondent does not meet the requirements in this decision, including but not limited to the prefiling requirements found in Ordering Paragraph 8, unless good cause for non-filing is shown.

12. No motion for any continuance shall be granted if filed within 20 days before the first day of hearing, except for good cause shown. No objection to the procedure established in this decision shall be granted, except upon timely motion showing good cause.

13. If the hearing date in Ordering Paragraph 2 is postponed or changed for any reason, Respondent shall file its exhibits and testimony 30 days before any new hearing date and all intervenors (including Staff) shall file their exhibits and testimony 20 days before any new hearing date.

This Order is effective on its mailed date.

ADOPTED IN SPECIAL OPEN MEETING October 21, 1993.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

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APPLICANT:

Alpine Express, Inc.
Attn: Michael I. Potoker, President
P. O. Box 1250
Gunnison, CO 81230

ROUTE:

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3
4
6-Docketing
9
10
20
21
40
50
60
Rates (2)
DMS (plus certificate)
Text Management
Agenda Book
CMTB

Alpine Express, Inc.
Attn: Michael I. Potoker, President
P. O. Box 1250
Gunnison, CO 81230