

(Decision No. C95-323)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF FOUR WINDS,)
INC., DOING BUSINESS AS PEOPLE'S)
CHOICE TRANSPORTATION, INC., FOR)
EMERGENCY TEMPORARY AUTHORITY TO)
CONDUCT OPERATIONS AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
)

DOCKET NO. 95A-139CP-
EXTENSION-ETA

**COMMISSION ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY**

Mailed date: April 10, 1995
Adopted date: April 6, 1995

I. BY THE COMMISSION:

A. Statement

1. On March 24, 1995, Four Winds, Inc., doing business as People's Choice Transportation, Inc., filed an application (Docket No. 95A-139CP-Extension-ETA) for emergency temporary authority to conduct operations as a common carrier by motor vehicle for hire for the transportation of passengers and their baggage, on schedule, between Denver International Airport, on the one hand, and the Denver Marriott Southeast, located at the intersection of Interstate 25 and Hampden Avenue, in Denver, Colorado, and the Denver

Marriott Hotel located at 4900 DTC Parkway in Greenwood Village, Colorado, on the other hand. This application is restricted to providing service for only the Denver Marriott Hotels.

2.By § 40-6-120, C.R.S., the application for emergency temporary authority is under consideration for a Commission order.

3.Pursuant to § 40-6-120(1), C.R.S., the Commission is authorized to grant emergency 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."

B.Findings

The support filed on behalf of this application indicates that scheduled service between both, the Southeast Denver Marriott and the DTC Marriott hotels, and Denver International Airport has been interrupted. People needing transportation services between the hotels and the airport have been extremely inconvenienced since the interruption. The support also outlines the transportation service requirements it demands of carriers, which existing carriers have not been able to provide. These requirements include: (1) the dedication of vehicles to provide service for the guests of Marriott Hotels; (2) providing service in

vehicles with a seating capacity of 47 passengers or greater; (3) establishing a ticket counter at one of the hotels with a direct phone connection to the other hotel and radio or phone communication with the vehicles; and (4) providing through transportation between the hotels and the Airport.

C. Conclusion

1. The Commission finds, due to the facts stated above, there is an emergency need for additional transportation services and that the existing carriers are not capable of providing the services required. The Commission will grant the application.
2. 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.
3. This application for emergency temporary authority is in the public interest and should be granted.
4. The Applicant is advised that the granting of an emergency temporary authority makes no presumption that temporary or permanent authority will be granted.

II. ORDER

A. The Commission Order That:

1. Four Winds, Inc., doing business as People's Choice Transportation, Inc., is granted emergency temporary authority to conduct operations as a common carrier by motor vehicle for hire for a period of 30 days commencing from the mailed date of this Order, with authority as set forth in the attached Appendix.
2. Four Winds, Inc., doing business as People's Choice Transportation, 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.

B. This Order is effective on its Mailed Date.

ADOPTED IN OPEN MEETING April 6, 1995.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

1
ATTEST: A TRUE COPY

ROBERT J. HIX

Bruce N. Smith
Director

VINCENT MAJKOWSKI

Commissioners

COMMISSIONER CHRISTINE E.M. ALVAREZ
ABSENT BUT CONCURRING.

ORDER-ACP

Appendix
Page 1 of 1 Page
Decision No. C95-323
Docket No. 95A-139CP-
Extension-ETA
April 6, 1995

Transportation of

passengers and their baggage, on schedule,

between Denver International Airport, on the one hand, and the Denver Marriott Southeast, located at the intersection of Interstate 25 and Hampden Avenue, in Denver, Colorado, and the Denver Marriott Hotel located at 4900 DTC Parkway in Greenwood Village, Colorado, on the other hand.

This **Emergency Temporary Authority** is restricted to providing service for only the Denver Marriott Hotels.

ORDER-ACP

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 95A-139CP-EXTENSION-ETA
DECISION NO. C95-323
(Page 1 of 1 Page)

I, Bruce N. Smith, Director of The Public Utilities Commission of the State of Colorado, certify that I served a true and correct copy of the above Commission Decision -- entered in the above numbered matter of record -- upon each of the persons whose names and addresses appear below, by mailing the same in sealed envelopes properly addressed, with sufficient postage prepaid to carry the same to its destination on the date noted on this certificate at Denver, Colorado.

APPLICANT:

Four Winds, Inc.
dba People's Choice Transportation
Inc.
5455 East 52nd Avenue
Commerce City, CO 80022

ATTORNEY FOR APPLICANT:

Jack P. Wolfe, Esq.
512 North Terry Street
Longmont, CO 80501

ROUTE:

1
2
3
4
6-Docketing
9
10
20
21
30
31 (2 copies)
40 (5 copies)
50
60
Black Book
Text Management
Operating Rights Unit
DMS (plus certificate)
Index
ORDER-ACP

WITNESS MY HAND AND THE SEAL OF
THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

2

BRUCE N. SMITH
DIRECTOR