

(Decision No. C95-461)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

THE APPLICATION OF EUGENE & WILLA )  
MAE SOUTHARD, DOING BUSINESS AS )  
LUCKY HAWK TOURS, FOR AUTHORITY ) DOCKET NO. 95A-137CP  
TO OPERATE AS A COMMON CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
)

**COMMISSION ORDER  
GRANTING PERMANENT AUTHORITY**

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Mailed date: May 24, 1995  
Adopted date: May 17, 1995  
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**I. BY THE COMMISSION:**

**A. Statement, Findings, and Conclusion**

1. Proper notice of the filing of this application has been given under § 40-6-108(2), C.R.S. Also at that time, this matter was set for hearing before the Commission on June 27, 1995.
2. No petition to intervene or otherwise participate in this proceeding has been filed by any person within the time prescribed. This proceeding is noncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.
3. The evidence submitted warrants the grant of authority as requested.

4.The present or future public convenience and necessity requires, or will require, the transportation service as granted.

5.The Applicant is fit, willing, and able to properly perform the service as granted.

## **II.ORDER**

### **A.The Commission Orders That:**

1.The hearing set for June 27, 1995 is hereby vacated.

2.This application was deemed complete on May 17, 1995, within the meaning of § 40-6-109.5.

3.Eugene & Willa Mae Southard, doing business as Lucky Hawk Tours, is granted a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire with authority as set forth in the attached Appendix and this Order is a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

4.Eugene & Willa Mae Southard, doing business as Lucky Hawk Tours, shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Applicant shall file a proper tariff and pay the issuance fee and annual vehicle identification fee. Operations may not begin until these requirements have been met. If the Applicant does not comply with the requirements of this ordering

paragraph within 60 days of the effective date of this Order, then ordering paragraph 1 above, which grants authority to the Applicant, shall be void, and the authority granted shall then be void. On good cause shown, the Commission may grant additional time for compliance, if the request for additional time is

filed within the 60 days.

**B.** This Order is effective on its Mailed Date.

ADOPTED IN OPEN MEETING May 17, 1995.

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ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ROBERT J. HIX

Bruce N. Smith  
Director

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CHRISTINE E.M. ALVAREZ

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VINCENT MAJKOWSKI

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Commissioners

ORDER-ADB

Appendix  
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Transportation of

passengers and their baggage, in call-and-demand limousine service, between Carbondale and Glenwood Springs, Colorado, on the one hand, and points in Black Hawk and Central City, Colorado, on the other hand.

This authority is restricted as follows:

- A.To providing service only on Fridays, Saturdays, and Sundays, between the 1st day of April and the 31st day of October of each year; and
- B.To providing service only on Saturdays and Sundays, between the 1st day of November and the 31st day of March of each year.

ORDER-ADB

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

**CERTIFICATE OF SERVICE**

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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:

Eugene & Willa Mae Southard  
dba Lucky Hawk Tours  
0034 Beaver Lane  
Carbondale, CO 81623

ROUTE:

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ORDER-ADB

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

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BRUCE N. SMITH  
DIRECTOR