

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF KAREN LEA)
ANSTINE, DOING BUSINESS AS SWEET)
PEA TOURS, FOR AUTHORITY TO)
TRANSFER CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY PUC)
NO. 48202S TO DON TEUTON, DOING)
BUSINESS AS SWEET PEA TOURS.)
)

DOCKET NO. 95A-309CP-
TRANSFER & ENCUMBRANCE

**COMMISSION ORDER
GRANTING TRANSFER & ENCUMBRANCE**

Mailed date: September 5, 1995
Adopted date: August 23, 1995

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 October 4, 1995.
2. No petition to intervene or otherwise participate in the 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. Transferee, Don Teuton, doing business as Sweet Pea Tours, also seeks authority to encumber all right, title, and interest in and to Certificate of Public Convenience and Necessity PUC No. 48202S, to Karen and Gregory Anstine, doing business as Sweet Pea Tours, owner/transferor of said certificate. The encumbrance shall secure payment of the indebtedness in the principal sum of \$5,000.00 in accordance with the terms and conditions set forth in the Security Agreement and Financing Statement executed by the Parties, dated June 20, 1995, and properly filed with the Commission.
4. Don Teuton and Karen Lea Anstine shall notify the Commission in writing of the full satisfaction of the above-stated indebtedness, and release of the encumbrance authorized herein, within ten days after it has been effected.
5. The evidence submitted with the application warrants the approval of the transfer and encumbrance of Certificate of Public Convenience and Necessity PUC No. 48202S.
6. The financial standing of the Transferee has been satisfactorily established, and the transfer is in the public interest.

7.The Transferee is fit, willing, and able to properly engage in bona fide motor carrier operations under the authority to be transferred.

II.ORDER

A.The Commission Orders That:

- 1.The hearing set for October 4, 1995 is hereby vacated.
- 2.This application was deemed complete on August 23, 1995, within the meaning of § 40-6-109.5., C.R.S.
- 3.Applicants are authorized to transfer Certificate of Public Convenience and Necessity PUC No. 48202S.
- 4.Transferee, Don Teuton, doing business as Sweet Pea Tours, is authorized to encumber all right, title, and interest in Certificate of Public Convenience and Necessity PUC No. 48202S to Karen Lea and Gregory Anstine, doing business as Sweet Pea Tours, owner/transferor, to secure payment of the indebtedness in the amount of \$5,000.00 in accordance with the terms and conditions of the Security Agreement and Financing Statement by the parties as filed with the Commission.
- 5.The right of the Transferee to operate under this Order shall depend on its compliance with all present and future laws and Commission rules and regulations, and the

prior filing by Transferor of

delinquent reports, if any, covering operations under the permit up to the time of transfer.

6. Transferee shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Transferee shall also adopt the tariff of the Transferor which shall become that of Transferee until changed according to law. Transferee shall pay the vehicle identification fee. Transferor shall file a terminating annual report from the 1st of January to the date of this Order. Applicants shall file an acceptance of transfer signed by both the Transferor and Transferee. Operations may not begin until these requirements have been met. If the Applicants do 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 Transferee, 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.

7. Don Teuton and Karen Lea Anstine shall notify the Commission, in writing, of the full satisfaction of the

above-stated indebtedness, and release of

the authorized encumbrance, within ten days after it has been effected.

B. This Order is effective on its Mailed Date.

ADOPTED IN OPEN MEETING August 23, 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

CHRISTINE E.M. ALVAREZ

VINCENT MAJKOWSKI

Commissioners

ORDER-AEL

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 95A-309CP-TRANSFER & ENCUMBRANCE
DECISION NO. C95-823
(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.

TRANSFEROR:

Karen Lea Anstine
dba Sweet Pea Tours
P. O. Box 774304
Steamboat Springs, CO 80477

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-AEL

TRANSFeree:

Don Teuton
dba Sweet Pea Tours
P. O. Box 775263
Steamboat Springs, CO 80477

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

BRUCE N. SMITH
DIRECTOR