

(Decision No. C95-1048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF GREATER)
COLORADO SPRINGS)
TRANSPORTATION COMPANY, DOING)
BUSINESS AS YELLOW CAB OF)
COLORADO SPRINGS, ALSO DOING)
BUSINESS AS METRO TAXI, INC.,)
ALSO DOING BUSINESS AS TOWNE CAR,)
INC., FOR TEMPORARY AUTHORITY TO)
EXTEND OPERATIONS UNDER)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY PUC)
NO. 109.)

DOCKET NO. 95A-467CP-
EXTENSION-TA

**COMMISSION ORDER DENYING
TEMPORARY AUTHORITY**

Mailed date: October 19, 1995
Adopted date: October 18, 1995

I. BY THE COMMISSION:

Statement Findings, and Conclusion

1. On September 26, 1995, Greater Colorado Springs Transportation Company, doing business as Yellow Cab of Colorado Springs, also doing business as Metro Taxi, Inc., also doing business as Towne Car, Inc., filed an application (Docket No. 95A-467CP-Extension-TA) for temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 109 for the transportation of passengers and their

baggage, in taxi service, between all points within the area comprised of the Counties of El Paso and Teller, State of Colorado, and from those points, on the one hand, to all points within the State of Colorado, on the other hand.

- 2.The Commission gave notice of the application on October 2, 1995. An intervention opposing a grant of the application was filed by Yellow Cab Cooperative Association, doing business as Yellow Cab, Inc., and its division, Denver Airport Limousine Service, Inc., doing business as Denver Airport Shuttle. BBB Transportation, Inc., doing business as Overland Express, Inc., also filed a petition to intervene, which will be granted.
- 3.By § 40-6-120, C.R.S., the application for temporary authority is under consideration for a Commission order.
- 4.Pursuant to § 40-6-120(1), C.R.S., the Commission is authorized to grant temporary authority when there appears to be an immediate and urgent 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 indicates that the Applicant seeks to modernize the language within Certificate No. 109. There is, however, no indication that an immediate and urgent need for this

clarification or modernization of the language exists.

6.The Commission finds that there is no immediate and urgent need for extension of authority requested. This application for temporary authority does not meet the statutory burden for approval, is not in the public interest, and should be denied.

II.ORDER

A.The Commission Orders That:

1.This application is denied. The intervention of BBB Transportation, Inc., doing business as Overland Airport Express, Inc., is granted.

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.

B. This Order is effective on its Mailed Date.

ADOPTED IN OPEN MEETING October 18, 1995.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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ATTEST: A TRUE COPY

ROBERT J. HIX

Bruce N. Smith
Director

VINCENT MAJKOWSKI

Commissioners

COMMISSIONER CHRISTINE E.M. ALVAREZ
ABSENT.

ORDER-AEX

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 95A-467CP-EXTENSION-TA

DECISION NO. C95-1048

(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:

Greater Colorado Springs
Transportation Company,
d/b/a Yellow Cab of Colorado Springs,
a/d/b/a Metro Taxi, Inc.,
a/d/b/a Towne Car, Inc.
845 West Moreno Avenue
Colorado Springs, CO 80905

APPLICANT'S ATTORNEY:

James A. Beckwith, Esq.
Suite No. 7
7910 Ralston Road
Arvada, CO 80002

INTERVENOR:

Yellow Cab Cooperative Association,
d/b/a Yellow Cab, Inc., and its
division, Denver Airport Limousine
Service, Inc., dba
Denver Airport Shuttle
3455 Ringsby Court
Denver, CO 80216

INTERVENOR'S (YELLOW) ATTORNEY:

Richard J. Bara, Esq.
Suite No. 315
1155 Sherman Street
Denver, CO 80203

INTERVENOR:

BBB Transportation, Inc.
dba Overland Airport Express, Inc.
1858 Arabian Trail
Elizabeth, CO 80107

INTERVENOR'S (BBB) ATTORNEY:

Charles J. Kimball, Esq.
KIMBALL & NESPOR, P.C.
Suite No. 1500
1775 Sherman Street
Denver, CO 80203

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ORDER-AEX

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

BRUCE N. SMITH
DIRECTOR