

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF VALERA LEA)
HOLTORF, DOING BUSINESS AS)
DASHABOUT SHUTTLE COMPANY AND/OR)
ROADRUNNER EXPRESS, FOR) DOCKET NO. 95A-530CP-
TEMPORARY AUTHORITY TO EXTEND) EXTENSION-TA
OPERATIONS UNDER CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
PUC NO. 14167.)

**COMMISSION ORDER DENYING
TEMPORARY AUTHORITY**

Mailed date: November 29, 1995
Adopted date: November 29, 1995

I. BY THE COMMISSION:

Statement Findings, and Conclusion

1. On November 8, 1995, Valera Lea Holtorf, doing business as Dashabout Shuttle Company and/or Roadrunner Express, filed an application (Docket No. 95A-530CP-Extension-TA) for temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 14167 by sub-stituting the words "Denver International Airport" for the words "Stapleton International Airport" in restriction (I) (2) of said certificate.

2. The Commission gave notice of the application on November 13, 1995. An intervention opposing a grant of the application was filed by Boulder Airporter, Inc.
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. Restriction (I) (2) in Certificate of Public Convenience and Necessity PUC No. 14167 refers only to the intermediate points authorized to be served along the carrier's scheduled route between Wray and Fairplay, Colorado. The specific intermediate service points named in this restriction must lie within a 16-mile radius of Colfax Avenue and Broadway, in Denver, Colorado. Denver Inter-national Airport does not lie within this radial and, therefore, substituting the words "Denver International Airport" for the words "Stapleton International Airport" will have no net effect on operations allowed under said certificate. Thus,

there can be no immediate and urgent need for the requested service.

6.The Commission finds, due to the facts stated in paragraph 5 above,
that this application for temporary authority is not
in the public interest and should be denied.

II. ORDER

A. The Commission Orders That:

1. This application is denied.
- 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 November 29, 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

CHRISTINE E.M. ALVAREZ

VINCENT MAJKOWSKI

Commissioners

ORDER-AFI

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 95A-530CP-EXTENSION-TA
DECISION NO. C95-1178
(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:

Valera Lea Holtorf
dba Dashabout Shuttle
and/or Roadrunner Express
Buffalo Springs Ranch
Akron, CO 80720

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)

INTERVENOR:

Boulder Airporter, Inc.
2560 49th Street
Boulder, CO 80301

INTERVENOR'S ATTORNEY:

Mark W. Williams, Esq.
BERRYHILL, CAGE & NORTH, P.C.
Suite No. 600
1401 17th Street
Denver, CO 80202

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

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BRUCE N. SMITH
DIRECTOR