

(Decision No. C95-1179)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF DENVER)
AIRPORT LIMOUSINE SERVICE, INC.,)
DOING BUSINESS AS DENVER AIRPORT)
SHUTTLE, INC., FOR TEMPORARY)
AUTHORITY TO EXTEND OPERATIONS)
UNDER CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY PUC)
NO. 82.)

DOCKET NO. 95A-519CP-
EXTENSION-TA

**COMMISSION ORDER DENYING
TEMPORARY AUTHORITY**

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

I. BY THE COMMISSION:

A. Statement

1. On November 8, 1995, Denver Airport Limousine Service, Inc., doing business as Denver Airport Shuttle, Inc., filed an application (Docket No. 95A-519CP-Extension-TA) for temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 82 for the transportation of passengers and their baggage, in call-and-demand limousine service, between Denver International Airport ("DIA"), in Denver, Colorado, on the one hand, and the Cherry Creek Inn, located at 600 South Colorado Boulevard, in

Glendale, Arapahoe County, Colorado, on the other hand.

2.The Commission gave notice of the application on November 13, 1995. An intervention opposing a grant of the application was filed by Neil J. DeRiso, doing business as Airport Boulevard Company ("ABC").

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

B.Findings

1.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.

2.The support filed on behalf of this application indicates that the Cherry Creek Inn is seeking the services of the Applicant because the intervenor, who is presently providing scheduled service between DIA and this facility, is not accommodating the transportation needs of the Cherry Creek Inn effectively or efficiently. However, the sole letter of support filed with the application on behalf of the Cherry Creek Inn gives no details

regarding why it is dissatisfied with the present services available

to its guests.

- 3.The intervenor, ABC, states that it is providing an adequate and timely service to the public. It is providing scheduled services between the Cherry Creek Inn and DIA, seven days a week, with stops every 30 minutes beginning at 5:25 a.m. and continuing until 9:55 p.m.

C.Conclusion

- 1.The Commission cannot find that the letter of support filed on behalf of the application indicates that an immediate and urgent need for the proposed service exists or that the existing carrier is not capable of providing the service requested in the application.
- 2.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.

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ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT J. HIX

CHRISTINE E.M. ALVAREZ

VINCENT MAJKOWSKI

Commissioners

ORDER-AFH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 95A-519CP-EXTENSION-TA
DECISION NO. C95-1179
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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:

Denver Airport Limousine
Service, Inc.
dba Denver Airport Shuttle,
Inc.
3455 Ringsby Court
Denver, CO 80216

APPLICANT'S ATTORNEY:

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

INTERVENOR:

Neil J. DeRiso
dba Airport Boulevard Company
10430 East Jewell Avenue, No. 76
Denver, CO 80231

INTERVENOR'S ATTORNEY:

Dale E. Isley, Esq.
WILLIAMS & ISLEY, P.C.
1225 Mellon Financial Center
1775 Sherman Street
Denver, CO 80203

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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