

(Decision No. C96-147)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

THE APPLICATION OF ARTHUR )	
SCHULTZ AND DEBORAH )	
O'GARA-SCHULTZ, DOING BUSINESS )	DOCKET NO. 95A-606CP-
AS KIDZ KARZ, FOR AUTHORITY TO )	
TRANSFER CERTIFICATE OF PUBLIC )	TRANSFER
CONVENIENCE AND NECESSITY PUC )	
NO. 53793 TO KIDZ KARZ, LTD. )	

**COMMISSION ORDER  
GRANTING TRANSFER**

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Mailed date: February 9, 1996  
Adopted date: February 7, 1996  
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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 March 26, 1996.
2. No petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed. On January 29, 1996, the Applicants filed a motion for modified procedure. This proceeding is noncontested, and under § 40-6-109(5), C.R.S., this matter may be

determined without a hearing, so the Applicants motion should be granted.

3.The evidence submitted warrants the approval of the transfer as ordered.

4.The financial standing of the Transferee has been satisfactorily established, and the transfer is in the public interest.

5.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 Applicants motion for modified procedure is granted.

2.The hearing set for March 26, 1996 is hereby vacated.

3.This application was deemed complete on February 8, 1996, within the meaning of § 40-6-109.5, C.R.S.

4.Applicants are authorized to transfer Certificate of Public Convenience and Necessity PUC No. 53793, subject to encumbrances, if any, against said authority.

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.

B. This Order is effective on its Mailed Date.

ADOPTED IN OPEN MEETING February 7, 1996.

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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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VINCENT MAJKOWSKI

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Commissioners

COMMISSIONER CHRISTINE E.M. ALVAREZ  
ABSENT.

ORDER-AGS

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

**CERTIFICATE OF SERVICE**

DOCKET NO. 95A-606CP-TRANSFER  
DECISION NO. C96-147  
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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.

TRANSFeree:

Kidz Karz, Ltd.  
P. O. Box E-104290  
4800 Baseline  
Boulder, CO 80303

TRANSFEROR:

Arthur Schultz and  
Deborah O'Gara-Schultz  
dba Kidz Karz  
7474 Spring Drive  
Boulder, CO 80303

ATTORNEY FOR TRANSFeree &

TRANSFEROR:

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

ROUTE:

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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