

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF JON JAIME)
LEWIS, DOING BUSINESS AS LEWIS)
TRANSPORTATION SERVICES, FOR) DOCKET NO. 96A-392CP-TA
TEMPORARY AUTHORITY TO CONDUCT)
OPERATIONS AS A COMMON CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY IN PART**

Mailed date: October 31, 1996
Adopted date: October 30, 1996

I. BY THE COMMISSION:

A. Statement, Findings, and Conclusion

1. On August 27, 1996, Jon Jaime Lewis, doing business as Lewis Transportation Services, filed an application (Docket No. 96A-392CP-TA) for temporary authority to conduct operations as a common carrier by motor vehicle for hire for the transportation of passengers and their baggage, in taxi service, between all points in the County of Chaffee, State of Colorado, and between said points, on the one hand, and all points in the cities of Colorado Springs, Denver, Grand Junction, and Pueblo, on the other hand.

2. The Commission gave notice of the application on September 3, 1996, and set the application for hearing on December 11, 1996. Interventions opposing a grant of the application were filed by Chaffee Transit, Inc. ("Chaffee Transit"), and Greater Colorado Springs Transit Company, doing business as Yellow Cab, and/or

Metro Taxicab of Colorado Springs, and/or Towne Car, Inc., and/or Yellow Cab Package Xpress, Inc. ("YCCS").

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. Intervenor, Chaffee Transit, has authority to provide taxi service in Chaffee County, however, it appears from the support letters filed on behalf of this application, that they are not providing this type of service. Both the Chief of Police and the Mayor of the City of Salida have indicated that a taxi service is badly needed in the City of Salida.

6. With respect to that portion of the application which seeks to provide taxi service between points in Chaffee County and points within the cities of Denver, Colorado Springs, Pueblo and Grand Junction, Intervenor, YCCS, has authority to provide taxi service from El Paso County to all points within the State of Colorado; and Chaffee Transit has authority to provide scheduled service between points within a five-mile radius of Salida, Colorado and certain points within the City of Denver, Colorado. Currently, there is no carrier providing taxi service from points within Chaffee County to the above-named cities.

7. Being duly advised, the Commission finds that there

is an immediate and urgent need for additional transportation services; however, not to the full extent that the Applicant seeks.

The application shall be granted, in part. The Applicant shall be authorized to provide taxi service, between all points within the County of Chaffee, State of Colorado. The Applicant shall be further authorized to provide taxi service from points within the County of Chaffee to points in the cities of Denver, Colorado Springs, Pueblo, and Grand Junction, Colorado, with express authority to provide round-trip service, so long as the trip both originates and terminates within the County of Chaffee, State of Colorado.

8. The Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority sought and is willing, ready, and able to operate under all Commission rules and regulations governing carriers by motor vehicle.

9. This application for temporary authority is in the public interest and should be granted.

10. The Applicant is advised that the granting of a temporary authority makes no presumption that permanent authority will be granted.

II. ORDER

A. The Commission Orders That:

1. The hearing set for December 11, 1996 is vacated.

2. This application is granted, in part. Jon Jaime Lewis, doing business as Lewis Transportation Services, is granted temporary authority to conduct operations as a common carrier by motor vehicle

for hire for a period of 180 days commencing from the Mailed Date of this order, with authority as set forth in the attached Appendix.

3. Jon Jaime Lewis, doing business as Lewis Transportation Services, shall not commence operation until all requirements have been met and notice in writing has been received from the Commission that the Applicant is in compliance and may begin service. If the Applicant does not comply with the requirements of this ordering paragraph within 30 days of the effective date of this Order, then ordering paragraph 1 above, which grants authority to the Applicant, 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 30 days.

4. 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.

C. ADOPTED IN OPEN MEETING October 30, 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

VINCENT MAJKOWSKI

Commissioners

COMMISSIONER R. BRENT ALDERFER
ABSENT.

ORDER-AJY

Appendix
Page 1 of 1 Page

Decision No. C96-1146
Docket No. 96A-392CP-TA
October 30, 1996

Transportation of passengers and their baggage, in taxi service,
between all points in the County of Chaffee, State of Colorado, and
from said points, on the one hand, **to** all points in the cities of
Colorado Springs, Denver, Grand Junction, and Pueblo, Colorado, on
the other hand.

Express authority is granted to provide round-trip service to points
in the cities of Colorado Springs, Denver, Grand Junction, and Pueblo,
Colorado, so long as the service both originates and terminates within
the County of Chaffee, State of Colorado.

ORDER-AJY

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 96A-392CP-TA
DECISION NO. C96-1146
(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:

Jon Jaime Lewis
dba Lewis Transportation Services
322 E Street
Salida, CO 81201

INTERVENOR:

Greater Colorado Springs Transit
Company
dba Yellow Cab
and/or Metro Taxicab of Colorado
Springs
and/or Towne Car, Inc.
and/or Yellow Cab Package Xpress,
Inc.
845 West Moreno Avenue
Colorado Springs, CO 80905

INTERVENOR'S (YCCS) ATTORNEY:

Mark A. Davidson, Esq.
LeBoeuf, Lamb, Greene &
MacRae, L.L.P.
Suite No. 2800
633 17th Street
Denver, CO 80202

INTERVENOR:

Chaffee Transit, Inc.
Attn: Monika A. Griesenbeck,
President
132 West First Street
Salida, CO 81201

ROUTE:

1, 2, 3, 4, 6-Docketing,
9, 10, 10.1, 20, 21, 30,
31 (2 copies), 40 (5 copies),
50, 60, Black Book, Operating
Rights Unit, DMS (plus
certificate)

ORDER-AJY

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

BRUCE N. SMITH
DIRECTOR

(Decision No. C96-1146-E)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

THE APPLICATION OF JON JAIME)
LEWIS, DOING BUSINESS AS LEWIS)
TRANSPORTATION SERVICES, FOR) DOCKET NO. 96A-392CP-TA
TEMPORARY AUTHORITY TO CONDUCT)
OPERATIONS AS A COMMON CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

ERRATA NOTICE

(Decision No. C96-1146)
(Mailed date: October 31, 1996)
(Adopted date: October 30, 1996)

On October 30, 1996, the Commission adopted Decision No. C96-1146, granting temporary authority to conduct operations as a common carrier by motor vehicle for hire to Jon Jaime Lewis, doing business as Lewis Transportation Services. This **Errata Notice** amends Ordering paragraph No. 1 of Decision No. C96-1146 which read as follows:

1. The hearing set for December 11, 1996 is vacated.

to read as follows:

1. The hearing set for January 7, 1997 is hereby vacated.

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

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BRUCE N. SMITH
DIRECTOR

Dated at Denver, Colorado this
13th day of November, 1996.

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 96A-392CP-TA
DECISION NO. C96-1146-E
(Page 1 of 1 Page)

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dba Lewis Transportation Services
322 E Street
Salida, CO 81201

INTERVENOR:

Greater Colorado Springs Transit
Company
dba Yellow Cab
and/or Metro Taxicab of Colorado
Springs
and/or Towne Car, Inc.
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845 West Moreno Avenue
Colorado Springs, CO 80905

INTERVENOR'S (YCCS) ATTORNEY:

Mark A. Davidson, Esq.
LeBoeuf, Lamb, Greene &
MacRae, L.L.P.
Suite No. 2800
633 17th Street
Denver, CO 80202

INTERVENOR:

Chaffee Transit, Inc.
Attn: Monika A. Griesenbeck,
President
132 West First Street
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ORDER-AJY

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OF THE STATE OF COLORADO

BRUCE N. SMITH
DIRECTOR