

(Decision No. C96-1240)

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. 96A-486CP-
EMERGENCY TEMPORARY AUTHORITY TO)	
EXTEND OPERATIONS UNDER)	EXTENSION-ETA
CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY PUC)	
NO. 14167.)	

**COMMISSION ORDER DENYING
EMERGENCY TEMPORARY AUTHORITY**

Mailed date: November 29, 1996
Adopted date: November 27, 1996

I. BY THE COMMISSION:

A. Statement:

1. On November 13, 1996, Valera Lea Holtorf, doing business as Dashabout Shuttle Company and/or Roadrunner Express ("Dashabout"), filed an application (Docket No. 96A-486CP-Extension-ETA) for emergency temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 14167 for the transportation of passengers and their baggage, in call-and-demand limousine service, between all points within the area comprised of the Counties of Yuma, Sedgwick, Phillips, Morgan, Logan, Washington, Lincoln, Kit Carson, Cheyenne, Prowers, Kiowa, Bent, Elbert, Crowley, and Otero, and between said points on the one hand, and points within the City and County of Denver, on the other hand, including Denver International Airport.

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

3. 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. Section 40-6-120(4), C.R.S., further states: "If the Commission is of the opinion that an emergency exists, it may issue emergency temporary authority or approval at once by making specific reference in its order to the circumstances constituting the emergency, in which case no notice need be given, but any such emergency authority or approval shall expire no later than thirty days after it was issued."

B. Finding of Fact:

The support filed on behalf of this application fails to prove that there is an emergency need for the transportation services requested.

Dashabout is requesting to provide call-and-demand limousine service between points in a rather large portion of the State of Colorado; yet it has given no indication of a need for this service, with one exception.

There are letters of support which indicate a need for service between points in Fort Morgan, Colorado and Denver International Airport. However, as stated above, the Commission may only grant an emergency temporary authority if there are specific circumstances which constitute an emergency. Thus, although there is an indication of a need for this service, the circumstances described within the application and its

letters of support do not constitute an emergency.

C. Conclusion:

1. This application does not meet the criteria demanded by the law for the granting of an emergency temporary authority. The application shall be denied.

2. The denial of this application makes no presumptions as to the final disposition of the temporary and permanent applications. The temporary and permanent applications will be determined on the evidence presented using the proper statutory criteria.

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.

C. ADOPTED IN OPEN MEETING November 27, 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

R. BRENT ALDERFER

Commissioners

ORDER-AKC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CERTIFICATE OF SERVICE

DOCKET NO. 96A-486CP-EXTENSION-ETA
DECISION NO. C96-1240
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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:

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

ROUTE:

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

ORDER-AKC

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

BRUCE N. SMITH

DIRECTOR