

(Decision No. R94-316-I)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE))
AND NECESSITY PUC NO. 2378 & I,)
FROM KAREN J. MATHIS, RECEIVER)
FOR YELLOW CAB COOPERATIVE)
ASSOCIATION, D/B/A YELLOW CAB,)
INC., TO TFG DENVER TRANSPORTA-)
TION, INC.)

DOCKET NO. 93A-620CP-
Transfer

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE))
AND NECESSITY PUC NOS. 174 & I,)
180 & I, 1198, 150 & I, 4302,)
177 & I, AND CONTRACT CARRIER)
PERMIT NO. B-8254 FROM KAREN J.)
MATHIS RECEIVER FOR YELLOW CAB)
COOPERATIVE ASSOCIATION,)
D/B/A BOULDER YELLOW CAB, INC.,)
TO BOULDER TRANSPORTATION, INC.)

DOCKET NO. 93A-621CP-
Transfer

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE))
AND NECESSITY PUC NOS. 174 & I,)
180 & I, 1198, 150 & I, 4302,)
177 & I, AND CONTRACT CARRIER)
PERMIT NO. B-8254 FROM KAREN J.)
MATHIS RECEIVER FOR YELLOW CAB)
COOPERATIVE ASSOCIATION,)
D/B/A BOULDER YELLOW CAB, INC.,)
TO BOULDER TRANSPORTATION, INC.)

DOCKET NO. 93A-622CP-
Transfer

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE))
AND NECESSITY PUC NOS. 174 & I,)
180 & I, 1198, 150 & I, 4302,)
177 & I, AND CONTRACT CARRIER)
PERMIT NO. B-8254 FROM KAREN J.)
MATHIS RECEIVER FOR YELLOW CAB)
COOPERATIVE ASSOCIATION,)
D/B/A BOULDER YELLOW CAB, INC.,)
TO BOULDER TRANSPORTATION, INC.)

DOCKET NO. 93A-623CP-
Transfer

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NOS. 174 & I,)
180 & I, 1198, 150 & I, 4302,)
177 & I, AND CONTRACT CARRIER)
PERMIT NO. B-8254 FROM KAREN J.)
MATHIS RECEIVER FOR YELLOW CAB)
COOPERATIVE ASSOCIATION,)
D/B/A BOULDER YELLOW CAB, INC.,)
TO BOULDER TRANSPORTATION, INC.)

DOCKET NO. 93A-624CP-
Transfer

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NOS. 174 & I,)
180 & I, 1198, 150 & I, 4302,)
177 & I, AND CONTRACT CARRIER)
PERMIT NO. B-8254 FROM KAREN J.)
MATHIS RECEIVER FOR YELLOW CAB)
COOPERATIVE ASSOCIATION,)
D/B/A BOULDER YELLOW CAB, INC.,)
TO BOULDER TRANSPORTATION, INC.)

DOCKET NO. 93A-625CP-
Transfer

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NOS. 174 & I,)
180 & I, 1198, 150 & I, 4302,)
177 & I, AND CONTRACT CARRIER)
PERMIT NO. B-8254 FROM KAREN J.)
MATHIS RECEIVER FOR YELLOW CAB)
COOPERATIVE ASSOCIATION,)
D/B/A BOULDER YELLOW CAB, INC.,)
TO BOULDER TRANSPORTATION, INC.)

DOCKET NO. 93A-626CP-
Transfer

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NOS. 82, 13175,)
AND 278 & I FROM DENVER AIRPORT)
LIMOUSINE SERVICE, INC.,)
D/B/A DENVER AIRPORT SHUTTLE,)
INC., ACTING THROUGH KAREN J.)
MATHIS, ITS RECEIVER, TO DENVER)
AIRPORT EXPRESS, INC.)

DOCKET NO. 93A-627CP-
Transfer

FOR AUTHORITY TO TRANSFER CERTI-)
FICATE OF PUBLIC CONVENIENCE AND)
NECESSITY PUC NO. 82 FROM DENVER)
AIRPORT LIMOUSINE SERVICE, INC.,)
ACTING THROUGH KAREN J. MATHIS,)
ITS RECEIVER, TO DENVER AIRPORT)
EXPRESS, INC., AND FOR AUTHORITY)
TO ENCUMBER THE CERTIFICATE IN)
FAVOR OF YELLOW CAB COOPERATIVE)

DOCKET NO. 93A-628CP-
Transfer

ASSOCIATION.)
FOR AUTHORITY TO TRANSFER CERTI-)
FICATE OF PUBLIC CONVENIENCE AND)
NECESSITY PUC NO. 13175 FROM)
DENVER AIRPORT LIMOUSINE SERVICE,)
INC., DBA DENVER AIRPORT SHUTTLE,)
INC., ACTING THROUGH KAREN J.)
MATHIS, ITS RECEIVER TO DENVER)
AIRPORT EXPRESS, INC.,)
FOR THE AUTHORITY TO ENCUMBER)
THE CERTIFICATE IN FAVOR OF)
YELLOW CAB COOPERATIVE)
ASSOCIATION.)

DOCKET NO. 93A-629CP-
Transfer

FOR AUTHORITY TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NO. 2778&I)
FROM DENVER AIRPORT LIMOUSINE)
SERVICE, INC., DBA DENVER AIRPORT)
SHUTTLE, INC., ACTING THROUGH)
KAREN J. MATHIS, ITS RECEIVER)
TO DENVER AIRPORT EXPRESS, INC.)
AND FOR AUTHORITY TO ENCUMBER THE)
CERTIFICATE IN FAVOR OF YELLOW)
CAB COOPERATIVE ASSOCIATION.)

DOCKET NO. 93A-630CP-
Transfer

INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MICHAEL R. HOMYAK
VACATING HEARING DATES

Mailed Date: March 22, 1994

STATEMENT, FINDINGS AND CONCLUSIONS

The following pleadings are pending in this docket: Motion to Request Copies of Transferor's Exhibits in an Expedited Manner, filed on February 23, 1994, by Metro Taxi, Inc. (Metro). Motion to Vacate Hearing and Dismiss Applications, filed on February 17, 1994, by Metro. Amendment to Motion to Vacate Hearing and Dismiss Applications, filed on February 23, 1994, by Metro. Motion to Compel Discovery, filed on February 4, 1994, by Boulder Airporter, Inc., and Colorado PUC No. 191 Corp. Stipulated Motion (1) for Substitution of Applicant, (2) to Vacate Hearing Date, (3) to Deem Waived the Time Limits of § 40-6-109.5, C.R.S., and (4) to Enter Order Authorizing Indefinite Postponement of Proceedings, filed on March 7, 1994, by proposed transferor, Yellow Cab Cooperative Association, debtor-in-possession and transferees (TFG Companies). Response time to the latter motion will expire on March 21, 1994. Thus, this decision will not consider the above motion. Metro's Motion, requesting copies of transferors' exhibits in an expedited

manner, will also be considered in the decision on the above pending stipulated motion.

The Motion to Vacate Hearing and Dismiss Applications, filed on February 17, 1994, and amendment filed February 23, 1994, by Metro will be granted to the extent that the presently scheduled hearing dates of April 21, 22, and 25, 1994, will be vacated. All other prefiling dates established in Decision R94-224-I, will be vacated pending ruling on the stipulated motion filed on March 7, 1994, by proposed transferor, Yellow Cab Cooperative Association, and Transferees. That part of Metro's motion and amendment to motion, seeking to dismiss these applications will also be considered in the subsequent order ruling on the stipulated motion.

It is found and concluded that the issue pertaining to the appropriate party in interest as transferor, must be determined before the above motions can be resolved. It is for this reason that ruling on the pending motions must be considered with the stipulated motion, filed on March 7, 1994.

ORDER

IT IS ORDERED THAT:

1. The Motion to Vacate Hearing and Dismiss Applications filed on February 17, 1994 and Amendment to Motion to Vacate Hearing and Dismiss Applications filed on February 23, 1994, is granted to the extent that scheduled hearing dates of April 21, 22, and 25, 1994, are vacated. All present prefiling dates in these dockets are vacated. So much of the motion, filed on February 17, 1994, and amendment filed February 23, 1994, by Metro Taxi, Inc. seeking dismissal of pending applications, is deferred until ruling on the stipulated motion, filed on March 7, 1994.

2. The Motion to Request Copies of Transferor's Exhibits in an Expedited Manner, filed on February 23, 1994, by Metro Taxi, Inc., and Motion to Compel Discovery, filed on February 4, 1994, by Boulder Airporter, Inc., and Colorado PUC No. 191 Corp., are deferred pending ruling on stipulated motion, filed on March 7, 1994.

This Order is effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Administrative Law Judge