

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-044CP-TRANSFER

THE APPLICATION OF #10 HILLCREST, LLC., DOING BUSINESS AS WESTERN EXPRESS TAXI FOR APPROVAL TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55708 TO CHANDA L. JONES AND JOHN T. JONES, JR. DOING BUSINESS AS DELTA TRANSIT COMPANY.

**COMMISSION ORDER APPROVING TRANSFER OF
CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY**

Mailed Date: March 19, 2004

Adopted Date: March 17, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On January 26, 2004, #10 Hillcrest, LLC., doing business as Western Express Taxi (Western Express Taxi) filed an application for approval to transfer Certificate of Public Convenience and Necessity (CPCN) PUC No. 55708 to Chanda L. Jones and John T. Jones, Jr. doing business as Delta Transit Company (Delta Transit Company).

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on February 9, 2004. The Commission set this matter for hearing on April 13, 2004.

3. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is uncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

4. The information submitted with this application warrants granting the requested transfer.

5. The financial standing of Delta Transit Company has been satisfactorily established.

6. Delta Transit Company is ready, willing, and able to properly perform the service as requested.

7. This application for permanent approval of the transfer of CPCN PUC No. 55708 is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for April 13, 2004, is vacated.
2. This application was deemed complete on March 17, 2004, within the meaning of § 40-6-109.5, C.R.S.
3. The application filed by Western Express Taxi for approval to transfer Certificate of Public Convenience and Necessity PUC No. 55708, subject to encumbrances, if any, against the authority, to Delta Transit Company, is granted.
4. Delta Transit Company shall operate in accordance with all applicable Commission rules and regulations.

5. Approval of the transfer of Certificate of Public Convenience and Necessity PUC No. 55708 is conditioned on the prior filing by Western Express Taxi of delinquent reports, if any, covering operations under the certificate up to the consummation of the transfer.

6. Delta Transit Company shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Delta Transit Company shall also adopt the tariff of Western Express Taxi which shall become that of Delta Transit Company until changed in accordance with the public utilities law. Delta Transit Company shall pay the vehicle identification fee. Western Express Taxi shall file a terminating annual report from the first of January to the date of this Order. An acceptance of transfer signed by both Western Express Taxi and Delta Transit Company shall be filed with the Commission. Western Express Taxi may not begin operations until these requirements have been met and it has received notice in writing from the Commission that it is in compliance and may begin service.

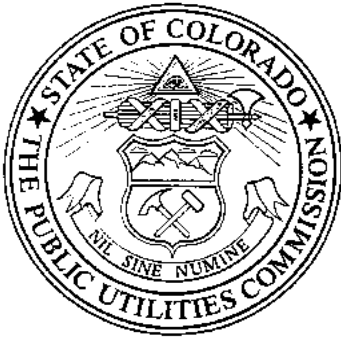
7. If Western Express Taxi and Delta Transit Company do not comply with the requirements of this Order within 60 days of its effective date, then the approval to transfer Certificate of Public Convenience and Necessity PUC No. 55708 shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 60 days.

8. 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 Order.

9. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
March 17, 2004.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners

I/TRANS/ORDERS/04A-044CP