

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-092CP-LEASE-TA

THE APPLICATION OF CASINO COACH, INC., FOR TEMPORARY APPROVAL TO ALLOW COLORADO COACH TRANSPORTATION, LLC., TO ASSUME OPERATIONAL CONTROL OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55667.

**COMMISSION ORDER GRANTING
TEMPORARY APPROVAL**

Mailed Date: March 19, 2004
Adopted Date: March 17, 2004

I. BY THE COMMISSION:

A. Statement

1. On March 1, 2004, Casino Coach, Inc. (Casino Coach), filed an application for temporary approval to allow Colorado Coach Transportation, LLC (Colorado Coach Transportation) to assume operational control of Certificate of Public Convenience and Necessity (CPCN) PUC No. 55667 pending Commission consideration of the related application to permanently lease the certificate.

2. The Commission gave notice of the application on March 8, 2004.

3. There are no interventions opposing a grant of the application.

4. Pursuant to § 40-6-120(2), C.R.S., the Commission may grant temporary approval of a certificate transfer "if it appears that failure to grant such temporary approval may result in destruction of or injury to such carrier or carrier properties sought to be acquired, or to interfere

substantially with their future usefulness in the performance of adequate and continuous service to the public."

B. Findings of Fact

5. In support of this application Casino Coach states "its manager, Ward Hicken, needs to devote all of his time to his full-time employment, and he cannot continue as its manager." Casino Coach also states, Patrick Horton, a manager/member of Casino Coach Transportation, will be able to devote sufficient time to the operations of CPCN PUC No. 54008 and to the development of additional business.

C. Conclusions

6. The Commission finds that a failure to grant temporary approval of an assumption of operational control could result in injury to CPCN PUC No. 55667 and ultimately affect service to the public.

7. Colorado Coach Transportation has adequate equipment and financial resources to begin immediate service within the scope of the authority sought.

8. This application for temporary approval is in the public interest.

9. Casino Coach and Colorado Coach Transportation are advised that the grant of temporary approval of an assumption of operational control creates no presumption that permanent lease approval will be granted.

II. ORDER**A. The Commission Orders That:**

1. The application for temporary approval of an assumption of operational control filed by Casino Coach is granted.

2. Colorado Coach Transportation is granted temporary approval to assume operational control of Certificate of Public Convenience and Necessity PUC No. 55667 for a period of 180 days commencing from the Mailed Date of this Order.

3. Colorado Coach Transportation shall operate Certificate of Public Convenience and Necessity PUC No. 55667 in accordance with all applicable Commission rules and regulations.

4. Colorado Coach Transportation shall not assume operational control until it has filed with the Commission certificates of insurance as required by Commission rules. Colorado Coach Transportation shall also adopt the tariff of Colorado Coach which shall become that of Colorado Coach Transportation until changed in accordance with the public utilities law. Colorado Coach Transportation shall pay the appropriate vehicle identification fee. Colorado Coach Transportation 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.

5. If Colorado Coach Transportation does not comply with the requirements of this Order within 30 days of its effective date, then the temporary approval 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 30 days.

6. 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.

7. 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

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