

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-037CP-SUSPENSION-PORZION

THE APPLICATION OF RAMBLIN' EXPRESS, INC., DOING BUSINESS AS ROCKY MOUNTAIN LIMOUSINE, INC., FOR AUTHORITY TO SUSPEND OPERATIONS UNDER A PORTION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. L275.

**COMMISSION ORDER DENYING
PARTIAL SUSPENSION OF OPERATIONS**

Mailed Date: March 26, 2004

Adopted Date: March 24, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On January 21, 2004, Ramblin' Express, Inc., doing business as Rocky Mountain Limousine, Inc. (Ramblin' Express), filed an application seeking authority to suspend operations under the following portion of Certificate of Public Convenience and Necessity (CPCN) PUC No. L275: Transportation of passengers and their baggage, in scheduled service, between the Broadmoor Hotel, 10 Lake Circle, Colorado Springs, Colorado, 80906, on the one hand, and points within Colorado Springs, Colorado, on the other hand. This portion of CPCN PUC No. L275 is restricted to providing service only for employees of the Broadmoor Hotel.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on January 26, 2004. The Commission set this matter for hearing on April 2, 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 Broadmoor Hotel, Inc., doing business as Broadmoor Hotel Garage (Broadmoor Hotel Garage) filed an application with the Commission on September 9, 2003, to lease CPCN PUC No. 275 to Ramblin' Express. The term of the requested lease was from January 1, 2004, through December 31, 2009. The lease of CPCN PUC No. 275 from Broadmoor Hotel Garage to Ramblin' Express was granted by Decision No. R03-1253 in Docket No. 03A-403CP on November 6, 2003. The Commission indicates a leased authority by adding the letter L to the CPCN number. The CPCN leased from Broadmoor Hotel Garage to Rocky Mountain Limousine is indicated in the Commission's official records as L275.

5. On January 8, 2004, the Broadmoor Hotel Garage filed an application seeking approval to abandon a portion of operations under CPCN PUC No. 275. The portion of CPCN PUC No. 275 to be abandoned was: Transportation of passengers and their baggage, in scheduled service, between the Broadmoor Hotel, 10 Lake Circle, Colorado Springs, Colorado, 80906, on the one hand, and points within Colorado Springs, Colorado, on the other hand. This portion of CPCN PUC No. L275 is restricted to providing service only for employees of the Broadmoor Hotel. The Broadmoor Hotel Garage request to abandon and the Ramblin' Express request to abandon identical. The request by the Broadmoor Hotel Garage to abandon this portion of CPCN PUC No. 275 was granted by Decision No. C04-0212 in Docket No. 04A-028CP on March 10, 2004.

6. Therefore, the portion of CPCN PUC No. L275 which Ramblin' Express to suspend has been eliminated from CPCN PUC No. 275 by Decision No. C04-0212.

II. ORDER

A. The Commission Orders That:

1. The hearing set for April 2, 2004, is vacated.
2. This application was deemed complete on March 24, 2004, within the meaning of § 40-6-109.5, C.R.S.
3. The application filed by Ramblin' Express, Inc., doing business as Rocky Mountain Limousine, Inc., for authority to suspend operations under a portion of Certificate of Public Convenience and Necessity PUC No. L275 is denied as moot.
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 Order.

5. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
March 24, 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

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Commissioners