

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-112BP-EXTENSION-TA

THE APPLICATION OF UNIVERSITY SERVICES, INC., DOING BUSINESS AS PASSENGER EXPRESS, FOR TEMPORARY AUTHORITY TO EXTEND OPERATIONS UNDER CONTRACT CARRIER PERMIT NO. B-9790.

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed Date: April 2, 2004
Adopted Date: March 31, 2004

I. BY THE COMMISSION:

A. Statement

1. On March 10, 2004, University Services, Inc., doing business as Passenger Express (Passenger Express) filed an application for temporary authority to extend operations under Contract Carrier Permit No. B-9790 to include the transportation of passengers and their baggage between the Renaissance Denver Hotel, 3801 Quebec Street, Denver, Colorado 80207, on the one hand, and Denver International Airport, on the other hand. This application is restricted to providing transportation services for only Renaissance Denver Hotel, 3801 Quebec Street, Denver, Colorado 80207.

2. The Commission gave notice of the application on March 22, 2004.

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

4. 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."

5. Passenger Express must meet a two-fold test: first, that there is an immediate and urgent need for the transportation services, and second, that there is no existing carrier capable of meeting the need. If Passenger Express fails to meet either test, the application must be denied.

B. Findings of Fact

6. A letter in support of this application was filed by Richard Brezinski, General Manager, of the Renaissance Denver Hotel. In his letter, Mr. Brezinski states "Currently, the Renaissance is providing airport transportation for its guests under contract with another carrier who leaves every 30 minutes and transports only seven guests per pickup. However, because the Renaissance is pursuing airline crew contracts that require more seats and more pickups per hour than our current contract allows, we cannot afford to continue using this provider. We urgently and immediately need the services of Passenger Express if we are to remain competitive in our marketplace. It is absolutely necessary for the Renaissance to have guests, passengers, pilots and flight crews picked up at their hotel by an experienced carrier familiar with the Renaissance and able to accommodate its customers' needs and requirements. There are at least three (3) large competing hotels in the same vicinity as the Renaissance. Each of these hotels provides airport service to its guests, with some having their own fleets and others using competing shuttle services. In this case an immediate and urgent need exists because if the Renaissance is unable to procure more frequent airport transportation services for a greater number of guests and airline crews, then the Renaissance's business is in jeopardy, as a substantial portion of its customers

would choose a hotel providing such services. I am familiar with the service provided by Passenger Express under its present authority, and I understand that service has been excellent. It is essential to hotel operations near the airport that safe, prompt, reliable and timely service be available for the traveling public whom we serve. Without the service of Passenger Express, we believe that we will be at a major disadvantage compared to our competitors.”

C. Conclusions

7. The Commission finds that an immediate and urgent need for the requested transportation services has been shown to exist, and it has not been shown that there is any other carrier capable of providing the service.

8. Passenger Express has adequate equipment and financial resources to begin immediate service within the scope of the authority sought.

9. This application for temporary authority is in the public interest.

10. Passenger Express is advised that the grant of a temporary authority creates no presumption that a permanent authority will be granted.

II. ORDER

A. The Commission Orders That:

1. Passenger Express is granted temporary authority to extend operations under Contract Carrier Permit No. B-9790 for a period of 180 days commencing from the Mailed Date of this Order, as set forth in the Appendix.

2. Passenger Express shall operate in accordance with all applicable Commission rules and regulations.

3. Passenger Express shall not extend operations until it has filed the proper tariff. Passenger Express may not begin operations until this requirement has been met and it has received notice in writing from the Commission stating it is in compliance and may begin service.

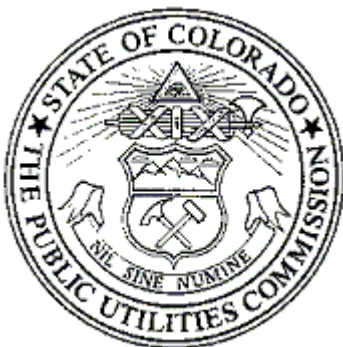
4. If Passenger Express does not comply with the requirements of this Order within 30 days of its effective date, then the temporary authority to extend operations shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 30 days.

5. 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.

6. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
March 31, 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-112BP

Transportation of passengers and their baggage between Renaissance Denver Hotel, 3801 Quebec Street, Denver, Colorado, 80207, on the one hand, and Denver International Airport, on the other hand.

This temporary authority is restricted to providing transportation services for Renaissance Denver Hotel, 3801 Quebec Street, Denver, Colorado, 80207.