

Decision No. C04-0402

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-092CP-LEASE

THE APPLICATION OF CASINO COACH, INC., FOR APPROVAL TO LEASE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55667 TO COLORADO COACH TRANSPORTATION, LLC.

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

Mailed Date: April 22, 2004
Adopted Date: April 21, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On March 1, 2004, Casino Coach, Inc. filed an application for approval to lease Certificate of Public Convenience and Necessity (CPCN) PUC No. 55667 to Colorado Coach Transportation, LLC. The lease is for the period from March 18, 2004 through November 18, 2010.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 8, 2004. The Commission set this matter for hearing on May 10, 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 lease.

5. The financial standing of Colorado Coach Transportation, LLC, has been satisfactorily established.

6. Colorado Coach Transportation, LLC, is ready, willing, and able to properly engage in motor carrier operations under the authority to be leased.

7. This application for approval of the lease of CPCN PUC No. 55667, from March 18, 2004 through November 18, 2010, is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for May 10, 2004, is vacated.
2. This application was deemed complete on April 21, 2004, within the meaning of § 40-6-109.5, C.R.S.
3. The application filed by Casino Coach, Inc. for approval to lease Certificate of Public Convenience and Necessity PUC No. 55667, subject to encumbrances, if any, against the authority to Colorado Coach Transportation, LLC, from March 18, 2004 through November 18, 2010, is granted.
4. Colorado Coach Transportation, LLC, shall operate in accordance with all applicable Commission rules and regulations.

5. Colorado Coach Transportation, LLC, shall adopt the tariff of Casino Coach, Inc., which shall become that of Colorado Coach Transportation, LLC, until changed in accordance with the public utilities law. Colorado Coach Transportation, LLC, shall pay the appropriate issuance fee. An acceptance of lease signed by both Casino Coach, Inc. and Colorado Coach Transportation, LLC, shall be filed with the Commission. Colorado Coach Transportation, LLC, may not begin operations until these requirements have been met and it has received notice in writing from the Commission stating that it is in compliance and may begin service.

6. If Casino Coach, Inc. and Colorado Coach Transportation, LLC, do not comply with the requirements of this Order within 60 days of its effective date, then the approval to lease Certificate of Public Convenience and Necessity PUC No. 55667, from March 18, 2004 through November 18, 2010, 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.

7. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
April 21, 2004**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners