

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-082CP-EXTENSION

THE APPLICATION OF DELBERT SMITH AND LAURA SMITH DOING BUSINESS AS SAN JUAN BACKCOUNTRY FOR AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55703.

**COMMISSION ORDER GRANTING EXTENSION
TO CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY**

Mailed Date: April 29, 2004
Adopted Date: April 28, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On February 19, 2004, Delbert Smith and Laura Smith doing business as San Juan Backcountry (San Juan Backcountry), filed an application for permanent authority to change the operations currently authorized under Certificate of Public Convenience and Necessity PUC No. 55703. San Juan Backcountry seeks to operate on a seasonal basis only, from May 1 through October 31 of each year. The changed authority would read as follows: Transportation of passengers and their baggage, in call-and-demand limousine service: (1) Between all points in the County of San Juan, State of Colorado; (2) Between all points in the County of San Juan, State of Colorado, on the one hand, and all points in the City of Ouray, Colorado, on the other hand; (3) From all points in the County of San Juan, State of Colorado, on the one hand, to the Durango Mountain Resort, #1 Skier Place, Durango, Colorado 81301, with the right to return the same passenger(s) to the point of origin; and (4) From all points in the County of San Juan, State of Colorado, on the one hand, to the Sheraton at Tamarron, 40292 U.S. Highway 550, Durango,

Colorado 81301, on the other hand, with the right to return the same passenger(s) to the point of origin. Restricted to providing transportation services from May 1 through October 31 of each year.

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 11, 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 authority.

II. ORDER

A. The Commission Orders That:

1. The hearing set for May 11, 2004, is vacated.
2. This application was deemed complete on April 28, 2004, within the meaning of § 40-6-109.5, C.R.S.
3. San Juan Backcountry is authorized to change operations under Certificate of Public Convenience and Necessity PUC No. 55703 by restricting operations from May 1 through October 31 of each year.
4. The complete authority under Certificate of Public Convenience and Necessity PUC No. 55703, as changed, shall be as set forth in the Appendix.

5. San Juan Backcountry shall cause to be filed with the Commission certificates of insurance as required by Commission rules. San Juan Backcountry shall file a proper tariff and pay the issuance fee and appropriate annual vehicle identification fee. San Juan Backcountry may not begin extended 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 San Juan Backcountry does not comply with the requirements of this Order within 60 days of its effective date, then the authority to conduct 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 60 days.

7. The 20-day time period provided by §40-6-141(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.

8. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
April 28, 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

Transportation of passengers and their baggage, in call-and-demand limousine service:

1. Between all points in the County of San Juan, State of Colorado;
2. Between all points in the County of San Juan, State of Colorado, on the one hand, and all points in the City of Ouray, Colorado, on the other hand;
3. From all points in the County of San Juan, State of Colorado, on the one hand, to the Durango Mountain Resort, #1 Skier Place, Durango, Colorado 81301, with the right to return the same passenger(s) to the point of origin; and
4. From all points in the County of San Juan, State of Colorado, on the one hand, to the Sheraton at Tamarron, 40292 U.S. Highway 550, Durango, Colorado 81301, on the other hand, with the right to return the same passenger(s) to the point of origin.

This Certificate is restricted to providing transportation services from May 1 through October 31 of each year.