

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-100CP-TRANSFER

THE APPLICATION OF BOULDER EXPRESS, LLC., DOING BUSINESS AS BOULDER EXPRESS SHUTTLE &/OR BLUE SKY SHUTTLE FOR APPROVAL TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55725 TO OWNER/DRIVER UNITED CORPORATION DOING BUSINESS AS BLUE SKY SHUTTLE.

**COMMISSION ORDER APPROVING TRANSFER OF
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 March 8, 2004, Boulder Express, LLC., doing business as Boulder Express Shuttle &/or Blue Sky Shuttle (Boulder Express), filed an application for approval to transfer Certificate of Public Convenience and Necessity (CPCN) PUC No. 55725 to Owner/Driver United Corporation doing business as Blue Sky Shuttle (Owner/Driver United).

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 22, 2004. The Commission set this matter for hearing on June 4, 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 transfer.

5. The financial standing of Owner/Driver United has been satisfactorily established.

6. Owner/Driver United is ready, willing, and able to properly perform the service as requested.

7. This application for permanent approval of the transfer of CPCN PUC No. 55725 is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for June 4, 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. The application filed by Boulder Express for approval to transfer Certificate of Public Convenience and Necessity PUC No. 55725, subject to encumbrances, if any, against the authority, to Owner/Driver United, is granted.

4. Owner/Driver United shall operate in accordance with all applicable Commission rules and regulations.

5. Approval of the transfer of Certificate of Public Convenience and Necessity PUC No. 55725 is conditioned on the prior filing by Boulder Express of delinquent reports, if any, covering operations under the certificate up to the consummation of the transfer.

6. Owner/Driver United shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Owner/Driver United shall also adopt the tariff of Boulder Express, which shall become that of Owner/Driver United until changed in accordance with the public utilities law. Owner/Driver United shall pay the appropriate vehicle identification fee. Boulder Express shall file a terminating annual report from the first of January to the date of this Order. An acceptance of transfer signed by both Boulder Express and Owner/Driver United shall be filed with the Commission. Owner/Driver United 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.

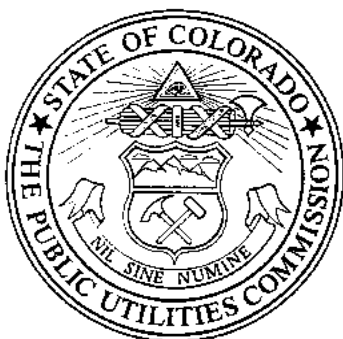
7. If Boulder Express and Owner/Driver United do not comply with the requirements of this Order within 60 days of its effective date, then the approval to transfer Certificate of Public Convenience and Necessity PUC No. 55725 shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 60 days.

8. 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.

9. 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

I/TRANS/ORDERS/04A-100CP