

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-117CP-LEASE

THE APPLICATION OF NORTH DENVER AIRPORT SHUTTLE, INC., FOR APPROVAL TO LEASE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 54008 TO BOULDER EXPRESS, LLC., DOING BUSINESS AS BOULDER EXPRESS SHUTTLE &/OR BLUE SKY SHUTTLE.

**COMMISSION ORDER APPROVING LEASE 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 12, 2004, North Denver Airport Shuttle, Inc., (North Denver Airport Shuttle), filed an application for approval to lease Certificate of Public Convenience and Necessity (CPCN) PUC No. 54008 to Boulder Express, LLC., doing business as Boulder Express Shuttle &/or Blue Sky Shuttle (Boulder Express). The term of the lease is March 22, 2004, through March 22, 2006.

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 7, 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 Boulder Express has been satisfactorily established.

6. Boulder Express 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. 54008 from March 22, 2004, through March 22, 2006, is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for June 7, 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 North Denver Airport Shuttle for approval to lease Certificate of Public Convenience and Necessity PUC No. 54008, subject to encumbrances, if any, against the authority to Boulder Express from March 22, 2004, through March 22, 2006, is granted.

4. Boulder Express shall operate in accordance with all applicable Commission rules and regulations.

5. Boulder Express shall adopt the tariff currently on file with the Commission for CPCN PUC No. 54008. Boulder Express shall pay the issuance fee. Boulder Express may not

begin operations under CPCN PUC No. 54008 until these requirements have been met and notice in writing has been received from the Commission stating that it is in compliance and may begin service.

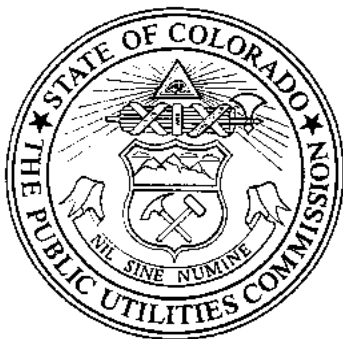
6. If North Denver Airport Shuttle and Boulder Express, do not comply with the requirements of this Order within 60 days of its effective date, then the approval to lease Certificate of Public Convenience and Necessity PUC No. 54008 from March 22, 2004, through March 22, 2006, shall be void. For good 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

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