

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-369CP-EXTENSION-TA

THE APPLICATION OF SHAMROCK CHARTERS, INC., DOING BUSINESS AS SHAMROCK AIRPORT EXPRESS, FOR TEMPORARY AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 49759.

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed Date: August 5, 2004
Adopted Date: August 3, 2004

I. BY THE COMMISSION:

A. Statement

1. On July 15, 2004, Shamrock Charters, Inc., doing business as Shamrock Airport Express (Shamrock Airport Express), filed an application for temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 49759 to include the transportation of passengers and their baggage, in scheduled service, between Greeley, Colorado, on the one hand, and Loveland, Colorado, on the other hand, with service to intermediate points located on U.S. Highway 34.

2. The Commission gave notice of the application on July 26, 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. Shamrock Airport 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 Shamrock Airport Express fails to meet either test, the application must be denied.

B. Findings of Fact

6. Seven support letters were filed on behalf of this application. Two of these letters were written by residents of Greeley, and two were written by residents of Loveland. Michael Buonpane of Loveland states “My in-laws both live in Greeley and are in their 80’s, they are not too comfortable driving on their own. A link between the public systems would allow them to semi-conveniently travel to visit us.” Valdis Nusca of Greeley states “ I whole heartedly support Shamrock Charter’s pursuit to acquire authorization to help fill a void in the service currently offered, which doesn’t adequately meet the demands of an increasingly mobile public.” Alex Fielder of Loveland states “Word is circulating that Shamrock Charter is considering providing a transportation link between Greeley and Loveland. A link between Fort Collins and Loveland already exists, and a similar link between Greeley and Loveland is quickly becoming crucial as these rapidly growing municipalities continue to coalesce.” Letters were also submitted by employees of the cities of Fort Collins, Greeley, and Loveland. Keith Reester, the Director of Public Works for the City of Loveland states “The proposed service between Loveland and Greeley is a major step forward in providing transit and transportation opportunities for residents of the entire North Front Range. Currently no inter-city connection exists between Loveland and Greeley. But, based on projections by the City of Loveland, the North Front Range Metropolitan Planning Organization, and the Colorado Department of Transportation this would be a tremendous service. Currently U. S. Highway 34 between Greeley and Loveland is one of the

most highly traveled corridors in North Colorado.” Gary K. Taylor, the Transit Services Manager of the Department of Public Works for the City of Greeley states “The City of Greeley has had many requests for public inter-city transportation. I am pleased that a private company of the quality of Shamrock Charters, Inc. is considering providing this service.” Mr. Taylor also states “A North Front Range Transportation and Air Quality Council transportation survey underscores the need for more transportation in the region.” Thomas Frazier, the General Manager of Transportation Services for Fort Collins states “The U. S. Highway 34 corridor is identified as a Regionally Significant Transit Corridor by the North Front Range Metropolitan Planning Organization. This signifies U. S. Highway 34 as a main corridor which will support the public use of transit, and the development of transit services in the corridor is encouraged and supported by the northern communities.”

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. Shamrock Airport 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. Shamrock Airport 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. Shamrock Airport Express is granted temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 49759 for a period of 180 days commencing from the Mailed Date of this Order, with authority as set forth in the Appendix.

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

3. Shamrock Airport Express shall not extend operations until it has filed the proper tariff and time schedule. Shamrock Airport 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 Shamrock Airport 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
August 3, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Transportation of passengers and their baggage, in scheduled service, between Greeley, Colorado, on the one hand, and Loveland, Colorado, on the other hand, with service to intermediate points located on U.S. Highway 34.