

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-369CP-EXTENSION

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

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

Mailed Date: September 1, 2004
Adopted Date: September 1, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On July 15, 2004, Shamrock Charters, Inc., doing business as Shamrock Airport Express (Shamrock Airport Express), filed an application for permanent authority to extend operations under Certificate of Public Convenience and Necessity (CPCN) 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 noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on July 26, 2004. The Commission set this matter for hearing on September 28, 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 extension.

5. The present or future public convenience and necessity requires, or will require, the transportation service as requested.

6. Shamrock Airport Express is ready, willing, and able properly to perform the service as requested.

7. This application for permanent authority is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for September 28, 2004, is vacated.

2. This application was deemed complete on September 1, 2004, within the meaning of § 40-6-109.5, C.R.S.

3. Shamrock Airport Express is authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 49759 as requested in this application.

4. The complete authority under Certificate of Public Convenience and Necessity PUC No. 49759, as extended, shall be as set forth in the Appendix.

5. Shamrock Airport Express shall file the proper tariff and time schedule and pay the issuance fee and appropriate vehicle identification fee. Shamrock Airport Express may not begin

extended operations until it has met these requirements and it has received notice in writing from the Commission stating it is compliance and may begin service.

6. If Shamrock Airport Express 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 § 40-6-114(1), C.R.S., to file an application for rehearing, re-argument, 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
September 1, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Transportation of passengers and their baggage:

- (I) In scheduled service between points within a ten-mile radius of the intersection of College Avenue and Prospect in Fort Collins, Colorado, on the one hand, and points within a ten-mile radius of Central City, Colorado, on the other hand, via U.S. Highways 287, 34, 40, 6, I-25, I-70, and I-76 and Colorado Highway 68, 119, 279, and 402, serving the intermediate point of Loveland, Colorado, and off-route points located within five miles of the intersection of U.S. Highways 287 and 34 in Loveland, Colorado;
- (II) In charter and call-and-demand service, between all points in the County of Larimer, State of Colorado, on the one hand and all points within a ten-mile radius of Central City, Colorado, on the other hand;
- (III) In scheduled and call-and-demand limousine service:
 - a. between points within a five-mile radius of Drake and College Avenues in Fort Collins, Colorado, and points within a five-mile radius of Eisenhower Boulevard and Cleveland in Loveland, Colorado, on the one hand, and Mile High Stadium in Denver, Colorado, on the other hand, with no intermediate stops;
 - b. between points within a five-mile radius of 16th Street and 23rd Avenue, in Greeley, Colorado, on the one hand, and Mile High Stadium, in Denver, Colorado, on the other hand, with no intermediate stops;
 - c. between all points within a 16-mile radius of 16th Street and 23rd Avenue, in Greeley, Colorado, lying outside of Weld County, on the one hand, and all points within a ten-mile radius of Central City, Colorado, on the other hand, via U.S. Highways 85, 40, 6, I-25, I-70, I-76, and Colorado State Highways 58 and 119, serving the intermediate point of Brighton, Colorado;
 - d. between all points in the County of Weld, State of Colorado, on the one hand, and all points within a ten-mile radius of Central City, Colorado, on the other hand;
 - e. between all points within a 13-mile radius of the intersection of Larimer County Road 32 and Larimer County Road 13 in Larimer County, Colorado;
 - (1) in scheduled service, from and to said points on the one hand, and Denver International Airport, Denver, Colorado, on the other hand; and
 - (2) in call-and-demand limousine service, from said points, on the one hand, to Denver International Airport in Denver, Colorado, on the other hand;

- (IV) In scheduled and call-and-demand limousine service, between all points within a five-mile radius of Drake Road and College Avenue, in Fort Collins, Colorado; all points within a five-mile radius of the intersection of Eisenhower Boulevard and Cleveland Avenue in Loveland, Colorado; all points within a five-mile radius of 16th Street and 23rd Avenue in Greeley, Colorado; and all points within a one-mile radius of the intersection of Interstate 25 and Colorado Highway 119 in Weld County, Colorado, on the one hand, and on the other hand, all points within a one-mile radius of Coors Field in Denver, Colorado, on the other hand;
- (V) (1) In scheduled service, between all points within a 13-mile radius of the intersection of Larimer County Road 32 and Larimer County Road 13 in Larimer County, Colorado, and between all points within Longmont, Colorado and all points within one-half mile of the intersection of Interstate 25 and Colorado Highway 119, on the one hand, and Denver International Airport, on the other hand; and
- (2) In call-and-demand limousine service, between all points within a 13-mile radius of the intersection of Larimer County Road 32 and Larimer County Road 13 in Larimer County, Colorado.
- (VI) 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.

RESTRICTIONS: This certificate is restricted as follows:

- A. Part (I) and the scheduled service under Parts (III)(a), (b), (c), (d), and (e)(1), and the scheduled service under Part (IV) are restricted to providing service to only points named in the carrier's published schedule;
- B. Part (I) is restricted to service to and from Loveland, Colorado, and points within a five-mile radius of the intersection of U.S. Highways 287 and 34 in Loveland, Colorado, and is restricted to pick up and discharge of passengers traveling to or from Central City, Colorado, and points within a ten-mile radius thereof;
- C. Part (I) is restricted against providing service to or from Central City, Colorado and a ten-mile radius thereof via U.S. Highways 34 and 40 via Estes Park, Colorado. No intermediate point service is permitted via U.S. Highways 34 and 40 between Loveland and Granby, Colorado;
- D. Part (II) is restricted against providing service to, from, or between points in Larimer County within a 15-mile radius of Estes Park, Colorado;
- E. Part (II) is restricted against providing service to, from, or between those points in Rocky Mountain National Park which are within Larimer County, Colorado;

- F. Part (III) is restricted as follows: Item (III)(a) is restricted to providing service which both originates and terminates in Fort Collins and/or Loveland, Colorado; and Item (III)(b) is restricted to providing service which both originates and terminates in Greeley, Colorado; and
- G. Part (IV) is restricted to providing service which originates and/or terminates in Fort Collins, Colorado; Loveland, Colorado; Greeley, Colorado; and/or points within a one-mile radius of the intersection of Interstate 25 and Colorado Highway 119 in Weld County, Colorado.