

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-379CP-TRANSFER

THE APPLICATION OF GROVER-CALDWELL INVESTMENTS, LLC, DOING BUSINESS AS SAFE+WAY MEDICAL TRANSPORTATION FOR APPROVAL TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55696 TO VAGABOND ENTERPRISES, INC., DOING BUSINESS AS SAFE+WAY MEDICAL TRANSPORTATION, INC.

**COMMISSION ORDER APPROVING TRANSFER OF
CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY**

Mailed Date: September 2, 2004
Adopted Date: September 1, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On July 20, 2004, Grover-Caldwell Investments, LLC, doing business as Safe+Way Medical Transportation (Grover-Caldwell), filed an application for approval to transfer Certificate of Public Convenience and Necessity (CPCN) PUC No. 55696 to Vagabond Enterprises, Inc., doing business as Safe+Way Medical Transportation, Inc. (Vagabond Enterprises).

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 30, 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 Vagabond Enterprises has been satisfactorily established.

6. Vagabond Enterprises 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. 55696 is in the public interest.

II. ORDER

A. The Commission Orders That:

1. The hearing set for September 30, 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. The application filed by Grover-Caldwell for approval to transfer Certificate of Public Convenience and Necessity PUC No. 55696, subject to encumbrances, if any, against the authority, to Vagabond Enterprises is granted.

4. Vagabond Enterprises 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. 55696 is conditioned on the prior filing by Grover-Caldwell of delinquent reports, if any, covering operations under the certificate up to the consummation of the transfer.

6. Vagabond Enterprises shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Vagabond Enterprises shall also adopt the tariff of Grover-Caldwell which shall become that of Vagabond Enterprises until changed in accordance with the public utilities law. Vagabond Enterprises shall pay the appropriate vehicle identification fee and issuance fee. Grover-Caldwell shall file a terminating annual report from the first of January to the date of this Order. An acceptance of transfer signed by both Grover-Caldwell and Vagabond Enterprises shall be filed with the Commission. Vagabond Enterprises may not begin operations until these requirements have been met and it has received notice in writing from the Commission that it is in compliance and may begin service.

7. If Grover-Caldwell and Vagabond Enterprises 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. 55696 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 § 40-6-114(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.

9. 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