

Decision No. C14-0505

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0247CP-EXTENSION

IN THE MATTER OF THE APPLICATION OF FUN TYME TROLLEYS LLC FOR
AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY NO. 55845.

**COMMISSION DECISION NOTICING WITHDRAWAL
OF APPLICATION WITHOUT PREJUDICE**

Mailed Date: May 13, 2014
Adopted Date: May 7, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On March 21, 2014, Fun Tyme Trolleys LLC (Applicant) filed an application for permanent authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 55845 seeking to add call-and-demand charter service to Applicant's existing sightseeing service, and seeking to lower the restriction on vehicle seating capacity from using vehicles with a seating capacity of 32 or more passengers to using vehicles with a seating capacity of 22 or more passengers.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 24, 2014.

3. Interventions were filed against the application by Estes Valley Transport Inc. and Magic Bus LLC.

4. On April 24, 2014, Applicant filed a Motion to Withdraw Application to Extend Authority, stating that Applicant had decided not to pursue the application to extend authority at this time.

5. Rule 1309(d) of the Commission Rules of Practice and Procedure, *4 Code of Colorado Regulations 723-1*, permits a party to withdraw an application or petition upon notification to the Commission and all parties prior to 45 days before the first day of hearing. There is no hearing set on this application at this time.

II. ORDER

A. The Commission Orders That:

1. The Application for Authority to Extend Operations Under Certificate of Public Convenience and Necessity No. 55845 filed on March 21, 2014 by Fun Tyme Trolleys LLC, is withdrawn without prejudice.

2. Proceeding No. 14A-0247CP-Extension is closed.

3. 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 Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 7, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

Commissioners

COMMISSIONER GLENN A. VAAD
ABSENT.