

Decision No. C14-0991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0670BP-TRANSFER

IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO TRANSFER CONTRACT CARRIER PERMIT NO. B-10011 FROM WIDE OPEN ADVENTURE LLC (GREG BOOKS) TO WIDE OPEN ADVENTURE LLC (RYAN BARWICK).

**COMMISSION DECISION APPROVING
TRANSFER OF CONTRACT CARRIER PERMIT**

Mailed Date: August 15, 2014
Adopted Date: August 6, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On June 18, 2014, Wide Open Adventure LLC (Greg Books) filed an application for permanent approval to transfer Contract Carrier Permit No. B-10011 to Wide Open Adventure LLC (Ryan Barwick).

2. The Commission gave notice of the application on June 30, 2014, for a period of 30 days.

3. There are no interventions opposing a grant of the application.

4. 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.

5. The information submitted with this application complies with Rule 6205(c) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6, and warrants the granting of the requested transfer. In particular, pursuant to

Rule 6205(c)(XVI), 4 CCR 723-6, the information submitted with the application establishes the following:

- (A) the transferor has not abandoned the authority and has not allowed the authority to become dormant;
- (B) the transferor has been and is engaged in *bona fide* operations under its authority;
- (C) the transfer is not contrary to the public interest;
- (D) the transfer will not result in the common control or ownership of duplicating or overlapping authorities; and,
- (E) the transferee will engage in *bona fide* regulated intrastate carrier operations and is fit to do so.

6. The financial standing of Wide Open Adventure LLC (Ryan Barwick), a limited liability company in good standing with the Colorado Secretary of State, has been satisfactorily established.

7. This application for permanent approval of the transfer of Contract Carrier Permit No. B-10011 is in the public interest and will be granted.

II. ORDER

A. The Commission Orders That:

1. This application was deemed complete on August 6, 2014, within the meaning of § 40-6-109.5, C.R.S.

2. The application filed by Wide Open Adventure LLC (Greg Books) for approval to transfer Contract Carrier Permit No. B-10011, subject to encumbrances, if any, against the authority, to Wide Open Adventure LLC (Ryan Barwick), is granted.

3. Wide Open Adventure LLC (Ryan Barwick), shall operate in accordance with all applicable Commission rules and regulations.

4. Wide Open Adventure LLC (Greg Books) shall file a terminating annual report from the first of January to the date of this Decision.

5. Wide Open Adventure LLC (Ryan Barwick), shall not commence operation until it has:

- (a) caused proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission in accordance with applicable rules;
- (b) paid to the Commission, the motor vehicle fee (\$5) for each vehicle to be operated under authority granted by the Commission, or in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;
- (c) filed an adoption notice that adopts as its own the currently effective tariff of Wide Open Adventure LLC (Greg Books);
- (d) paid the applicable issuance fee (\$5);
- (e) filed an acceptance of transfer form, executed by Wide Open Adventure LLC (Greg Books) and Wide Open Adventure LLC (Ryan Barwick) and,
- (f) received notice in writing from the Commission that it is in compliance with the above requirements and may begin service.

6. If Wide Open Adventure LLC (Greg Books), and Wide Open Adventure LLC (Ryan Barwick), do not comply with the requirements of this Decision within 60 days of its effective date, then the approval to transfer Contract Carrier Permit No. B-10011 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. Within six months of the Mailed Date of this Decision, Wide Open Adventure LLC (Ryan Barwick), shall file an advice letter and tariff in its own name.

8. 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.

9. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 6, 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.