

Decision No. C19-0589

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0367CP-STOCK TRANSFER-TA

IN THE MATTER OF THE APPLICATION FOR TEMPORARY APPROVAL TO TRANSFER THE CAPITAL STOCK OF ALPINE TAXI/LIMO, INC., DOING BUSINESS AS ALPINE AND/OR GO ALPINE, RECORD OWNER AND OPERATOR OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 26246, FROM LISA ADAMO TO OGILVIE FAMILY LIMITED PARTNERSHIP.

**COMMISSION DECISION
GRANTING TEMPORARY APPROVAL**

Mailed Date: July 12, 2019

Adopted Date: July 10, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On June 28, 2019, Alpine Taxi/Limo, Inc., doing business as Alpine and/or Go Alpine (Alpine Taxi), record owner of Certificate of Public Convenience and Necessity (CPCN) No. 26246, filed an application (Application) for temporary approval to sell all of the issued shares of capital stock in Alpine Taxi from Lisa Adamo to the Ogilvie Family Limited Partnership (Ogilvie Family LP).

2. Alpine Taxi and Ogilvie Family LP request temporary approval of the sale of the capital stock from Lisa Adamo to the Ogilvie Family LP for a period 180 days, pending the outcome of the related application for permanent approval of the sale of the capital stock to the Ogilvie Family LP.

3. The Commission noticed the Application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on July 1, 2019. The five-day notice period expired on July 8, 2019.

4. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is uncontested. Therefore, under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

5. Pursuant to § 40-10.1-204(2), C.R.S., the Commission is authorized to grant temporary authority when:

Pending the determination of an application filed with the commission for approval of an acquisition of stock of a common carrier or contract carrier...the commission may, in its discretion and without hearings or other proceedings, grant temporary approval for a period not exceeding one hundred eighty days...if it appears that failure to grant such temporary approval may result in destruction of or injury to the carrier or its properties sought to be acquired, or may interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

6. After a review by the Commission of the Application, the stock purchase agreement (submitted as a confidential document), and the statement regarding transfer (submitted as a highly confidential document), we find that Alpine Taxi and Ogilvie Family LP have shown good cause to grant the requested temporary approval of the sale of the issued capital stock of Alpine Taxi. We also find that: a) the Application complies with the requirements in Rule 6206(c), 4 *Code of Colorado Regulations* 723-6 of the Commission's Rules Regulating Transportation by Motor Vehicle; b) the Ogilvie Family LP has the financial resources and the managerial and operational experience to perform the duties necessary to continue adequate operations under CPCN No. 26246; and c) granting the Application is in the public interest.

II. ORDER

A. The Commission Orders That

1. This application filed on June 28, 2019, for temporary approval to sell all of the issued shares of capital stock in Alpine Taxi/Limo, Inc., doing business as Alpine and/or Go Alpine (Alpine Taxi) from Lisa Adamo to the Ogilvie Family Limited Partnership (Ogilvie Family LP) is granted.

2. The approved temporary sale of capital stock shall not be complete until Alpine Taxi and Ogilvie Family LP have filed with the Commission a signed acceptance of stock transfer and have paid the applicable issuance fee of \$5.00.

3. If Alpine Taxi and Ogilvie Family LP do not comply with the requirements in Paragraph (2) within 30 days of the effective date of this Decision, then the temporary approval of the sale of capital stock is void. For good cause shown, the Commission may grant additional time if the request for additional time is filed within 30 days of the effective date of this Decision.

4. Ogilvie Family LP shall conduct temporary operations under Certificate of Public Convenience and Necessity No. 26246 in accordance with all applicable Colorado laws and Commission rules.

5. The 20-day time period provided by § 40-6-114, C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the effective date of this Decision.

6. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 10, 2019.**

(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

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners