

Decision No. C19-0849

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0476CP-STOCK TRANSFER

IN THE MATTER OF THE APPLICATION FOR AN ORDER OF THE COMMISSION AUTHORIZING THE SALE OF CAPITAL STOCK IN HY-MOUNTAIN TRANSPORTATION, INC. DOING BUSINESS AS HIGH MOUNTAIN TAXI, RECORD OWNER AND OPERATOR OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14114, FROM TODD GARNER TO MTN LLC DOING BUSINESS AS HIGH MOUNTAIN TAXI.

**COMMISSION DECISION
PERMITTING STOCK TRANSFER**

Mailed Date: October 18, 2019

Adopted Date: October 9, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On August 28, 2019, an application was filed for authority to transfer the capital stock in Hy-Mountain Transportation Inc., doing business as High Mountain Taxi, record owner and operator of Certificate of Public Convenience and Necessity (CPCN) PUC No. 14114, from Todd Gardner to MTN LLC. The application was supplemented on September 10, 2019.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on September 3, 2019.

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 complies with Rule 6206(c) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6, and warrants the granting of the requested transfer.

5. The fitness of the transferee to perform the duties necessary to ensure continued adequate operations under CPCN PUC No. 14114 by Hy-Mountain Transportation Inc., doing business as High Mountain Taxi, has been satisfactorily established.

6. This application for approval to transfer the capital stock in Hy-Mountain Transportation Inc., doing business as High Mountain Taxi, to MTN LLC is in the public interest and will be granted.

II. ORDER

A. The Commission Orders That

1. This application was deemed complete on October 9, 2019, within the meaning of § 40-6-109.5, C.R.S.

2. The application filed on August 28, 2019 for authority to transfer the capital stock in Hy-Mountain Transportation Inc., doing business as High Mountain Taxi, record owner and operator of Certificate of Public Convenience and Necessity (CPCN) PUC No. 14114, from Todd Gardner to MTN LLC, is granted.

3. CPCN PUC No. 14114 is set forth in the Appendix attached to this Decision.

4. The approved transfer of capital stock shall not be complete until the parties have filed with the Commission a signed acceptance of stock transfer and have paid the applicable issuance fee of \$5.00.

5. If the parties do not comply with the requirements in Paragraph (4) within 60 days of the effective date of this Decision, then the approval for the transfer of capital stock is void. For

good cause shown, the Commission may grant additional time if the request is filed within 60 days of the effective date of this Decision.

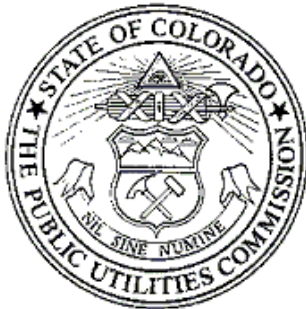
6. Hy-Mountain Transportation Inc., doing business as High Mountain Taxi, shall continue to conduct operations under CPCN PUC No. 14114 in accordance with all applicable Colorado laws and Commission rules, including but not limited to, the rule on financial responsibility, updating the vehicle registry, and obtaining the periodic inspections of all vehicles.

7. 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.

8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 9, 2019.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

_____ Commissioners

COMMISSIONER FRANCES A. KONCILJA
ABSENT.