

Decision No. C20-0028

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0651CP-STOCK TRANSFER

IN THE MATTER OF THE APPLICATION FOR AN ORDER OF THE COMMISSION AUTHORIZING THE TRANSFER OF MEMBERSHIP INTERESTS IN ASPEN ECOLUX LLC DOING BUSINESS AS ASPEN TRANSPORTATION CO., RECORD OWNER AND OPERATOR OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55713, FROM W. AARON VANDIVER TO SHAYN MCFARLAND, DOUG MCFARLAND, AND MARK NELSON.

**COMMISSION DECISION APPROVING
TRANSFER OF MEMBERSHIP INTERESTS**

Mailed Date: January 13, 2020

Adopted Date: January 2, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On November 15, 2019, an application was filed seeking approval to transfer the membership interests in Aspen EcoLux LLC, doing business as Aspen Transportation Co., record owner and operator of Certificate of Public Convenience and Necessity (CPCN) PUC No. 55713, from W. Aaron Vandiver to Shayn McFarland, Doug McFarland, and Mark Nelson.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on November 25, 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. 55713 by Aspen EcoLux LLC, doing business as Aspen Transportation Co., has been satisfactorily established.

6. This application for approval to transfer the membership interests in Aspen EcoLux LLC, doing business as Aspen Transportation Co., is in the public interest and will be granted.

II. ORDER

A. The Commission Orders That:

1. This application was deemed complete on January 2, 2020, within the meaning of § 40-6-109.5, C.R.S.

2. The application filed on November 15, 2019, for approval to transfer the membership interests in Aspen EcoLux LLC, doing business as Aspen Transportation Co., record owner and operator of Certificate of Public Convenience and Necessity (CPCN) PUC No. 55713, from W. Aaron Vandiver to Shayn McFarland, Doug McFarland, and Mark Nelson, is granted.

3. CPCN PUC No. 55713 is set forth in the Appendix attached to this Decision.

4. The approved transfer of membership interests shall not be complete until the parties have filed with the Commission a signed acceptance of transfer form 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 to transfer membership interests shall be

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

6. Aspen EcoLux LLC, doing business as Aspen Transportation Co., shall continue to conduct operations under CPCN PUC No. 55713 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
January 2, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners