

October 18, 2004

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Reference No. 04-0142

Ms. Elaine Culpepper
President
Winterhawk Transports
236 S. Ammons St.
Lakewood, CO 80226

Dear Ms. Culpepper:

We are in receipt of your official file from the Colorado Department of Transportation (CDOT) concerning the appeal of a Disadvantaged Business Enterprise certification denial you filed against that agency on behalf of your firm, Winterhawk Transports. According to the record information your firm was certified by CDOT on February 5, 2002. On May 16, 2003, CDOT mailed a change affidavit to your firm with a request for additional information. On June 17, 2003, CDOT sent you a letter by certified mail, returned receipt requested informing you of its intent to revoke your firm's certification on the basis that it failed to cooperate and also afforded your firm an opportunity for a hearing. The letter further stated that if you did not provide the requested information or request a hearing in ten days that your firm's certification would be revoked. The record is void of any information whether your firm provided the information or requested a hearing.

Your appeal letter dated September 17, 2004 states that you have not heard from the city. According to the record, a letter dated August 12, 2004 from the City and County of Denver was mailed to you informing you that it is processing your application for DBE certification. Since your application is currently being processed by a member of the Colorado Uniform Certification Program, we will not process your appeal since there is nothing for us to render a decision on at this time. Your appeal is being closed in our files. If we can be of assistance in the future, please do not hesitate to contact us.

Sincerely,

Original Signed By

Joseph E. Austin, Chief
External Policy & Program Development Division
Departmental Office of Civil Rights

cc: CDOT