

Decision No. C23-0279

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22A-0403CP-EXT

IN THE MATTER OF THE APPLICATION OF GROOME TRANSPORTATION OF SOUTHERN COLORADO, LLC DOING BUSINESS AS GROOME TRANSPORTATION TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55275.

**COMMISSION DECISION GRANTING
EXTENSION OF TIME**

Mailed Date: April 28, 2023
Adopted Date: April 26, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a motion submitted on April 17, 2023, by Groome Transportation of Southern Colorado LLC, doing business as Groome Transportation (Applicant), requesting that the Commission grant a 20-day extension to comply with the terms of Decision No. R23-0050 (Decision).

2. On September 20, 2022, Applicant filed an application for permanent authority to extend operations under its Certificate of Public Convenience and Necessity PUC No. 55275.

3. The Commission noticed the application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on October 4, 2022. An intervention was filed and the proceeding was referred to an Administrative Law Judge (ALJ).

4. On January 20, 2023, the ALJ issued the Decision and granted the permanent authority, subject to Applicant's full compliance with the requirements contained in Ordering Paragraph No. 6 of the Decision.

5. Ordering Paragraph No. 6 of the Decision requires Applicant to file proof of insurance; pay the motor vehicle fee and issuance fee; and submit an advice letter with tariff.

6. The Decision gave Applicant 60 days from its effective date to comply with the Order; otherwise, the grant of the permanent authority to extend operations "shall be void." Therefore, Applicant had until April 10, 2023, to complete the terms of the Decision. Applicant did not comply with all the requirements; thus, the proceeding was closed without the extended authority being issued.

7. In the motion submitted on April 17, 2023, Applicant requests "a 20-day extension to and including April 30, 2023, in which to complete compliance." Applicant explains the following:

Applicant timely filed its Advice Letter and accompanying Passenger Tariff in compliance with the Applicant's grant of an extension of its certificate of public convenience and necessity, however, was not able to make contact with the PUC to pay the \$5.00 issuance fee. While Applicant was able to make payment to the PUC over the phone a few days later, timing of such payment rendered Applicant's filing out of compliance with the April 10, 2023 deadline.

8. The Commission concludes that good cause exists to reopen the proceeding and grant Applicant's request for a 20-day extension to comply with the Decision.

II. ORDER

A. The Commission Orders That:

1. The motion filed by Groome Transportation of Southern Colorado LLC, doing business as Groome Transportation, on April 17, 2023, requesting that the Commission grant a 20-day extension to complete the requirements set forth in Decision No. R23-0050 is granted.

2. Groome Transportation of Southern Colorado LLC, doing business as Groome Transportation, is granted 20 days from the Mailed Date of this Decision to comply with the requirements set forth in Decision No. R23-0050.

3. 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.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 26, 2023.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script, appearing to read "G. Harris Adams".

G. Harris Adams,
Interim Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

Commissioners

COMMISSIONER TOM PLANT
ABSENT