

Decision No. C23-0547

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0118CP

IN THE MATTER OF THE APPLICATION OF KUSH & CANVASES, LLC DOING BUSINESS
AS THE CANNABIS EXPERIENCE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION REOPENING PROCEEDING
AND GRANTING EXTENSION OF TIME**

Mailed Date: August 18, 2023

Adopted Date: August 9, 2023

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a motion submitted on July 27, 2023, by Kush & Canvases LLC, doing business as The Cannabis Experience (Applicant), requesting that the Commission grant a 30-day extension to comply with the terms of Decision No. C23-0285 (Decision).

2. On March 9, 2023, Applicant filed an application for new permanent authority to operate as a common carrier of passengers by motor vehicle for hire.

3. The Commission noticed the application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 20, 2023. This proceeding was uncontested; and thus, it was determined without a hearing.

4. On May 2, 2023, the Commission issued the Decision and granted the permanent authority, subject to Applicant's full compliance with the requirements contained in Ordering Paragraph No. 3 of the Decision.

5. The Decision gave Applicant 60 days from its effective date of May 2, 2023, to comply with the Order; otherwise, "the CPCN is denied without further action of the Commission." Therefore, Applicant had until July 5, 2023¹ to complete the terms of the Decision. Applicant did not comply with all the requirements before that deadline; thus, the proceeding was closed without the CPCN being issued.

6. In the motion submitted on July 27, 2023, Applicant explains the following:

I am writing to request a 30-day extension for the filing of my PUC (Public Utilities Commission) documents. The original deadline for submission was July 5th 2023. I had previously submitted the tariff and advice letters before the deadline; however, they were rejected due to certain issues. The correct and revised tariff and advice letters were resubmitted, but regrettably, they were submitted after the original deadline, July 11th 2023.

The reason for this request is that the initial submission of the tariff and advice letters contained errors that led to their rejection. Addressing these issues required more time than anticipated, resulting in the late submission of the revised documents

7. The Commission concludes that good cause exists to reopen the proceeding, grant the request for a 30-day extension to comply with the Decision, and accept the late-filed advice letter with tariff.

¹ The sixtieth day, July 1, 2023, was a Saturday; and, July 3rd and July 4th were holidays.

II. ORDER

A. The Commission Orders That:

1. The request of Kush & Canvases LLC, doing business as The Cannabis Experience, filed on July 27, 2023, that the Commission grant a 30-day extension to complete the requirements set forth in Decision No. C23-0285 is granted.

2. 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.

3. This Decision is effective on its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING** **August 9, 2023.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners