

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0064CP-EXT

IN THE MATTER OF THE APPLICATION OF ARAMARK FOOD AND SUPPORT SERVICES GROUP, INC. DOING BUSINESS AS ARAMARK, FOR AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 7465.

**COMMISSION DECISION GRANTING
PERMANENT AUTHORITY TO EXTEND
OPERATIONS SUBJECT TO CONDITIONS**

Mailed Date: March 22, 2024
Adopted Date: March 20, 2024

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On February 8, 2024, Aramark Food and support Services Group, Inc. (Aramark) filed an Application for new permanent authority to extend operations under Certificate of Public Convenience and Necessity (CPCN) PUC No. 7465.

2. Aramark's CPCN PUC No. 7465 currently authorizes:

- (I) Transportation on schedule of passengers between Cortez, Colorado, and Mesa Verde National Park, Colorado over U.S. Highway 160. (II) Transportation in charter service of passengers between the Durango, Colorado Municipal Airport and Mesa Verde National Park, serving no intermediate points. (III) Transportation in sightseeing service of passengers between points in the area comprised of the Counties of Montezuma, Dolores, San Miguel, La Plata, and San Juan, State of Colorado.

RESTRICTIONS: This certificate is restricted as follows: (A) Item (III) is restricted as follows: (1) To roundtrip sightseeing trips which both originate and terminate at Mesa Verde National Park or Cortez, Colorado; (2) To trips involving a minimum of six passengers per trip;

(B) Item (I) is restricted to operating only between the dates of April 15th and November 1st of each year.

3. In this application, Aramark requests authority to extend CPCN PUC No. 7465 such that the extended CPCN will authorize:

Transportation of passengers in call-and-demand sightseeing service between all points in Mesa Verde National Park, Colorado.

4. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on February 12, 2024, for a period of 30 days.

5. The notice period expired on March 13, 2024. 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.

6. Pursuant to Rule 6203(a) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6, the Commission finds that the information submitted by Aramark with this application warrants the granting of the requested extension of CPCN PUC No. 7465.

7. The present or future public convenience and necessity requires, or will require, the transportation service as requested.

8. Aramark is fit to perform the service as requested.

9. This Application for Permanent Authority is in the public interest.

10. Aramark is granted, subject to conditions, an extension of authority under CPCN PUC No. 7465 as set forth in Appendix A attached to this Decision, conditioned upon its full compliance with the requirements contained in this Decision.

11. If Aramark fails to comply with the prerequisites required by Ordering Paragraph No. 3 within 60 days of the effective date of the Decision, the requested extension of CPCN

7465 will be deemed denied, and Aramark will not be granted the requested permanent authority, the CPCN shall not be issued, and Aramark shall not be permitted to operate under the requested CPCN authority. No further action of the Commission is required.

12. For good cause shown, the Commission may grant additional time for compliance with Ordering Paragraph No. 3 if the request for additional time is filed within 60 days of the effective date of this Decision.

13. The Commission will notify Aramark in writing when the Commission's records demonstrate it has fully complied with the requirements of Ordering Paragraph No. 3. Aramark shall not begin operations without the receipt of written notification of compliance from the Commission.

II. ORDER

A. The Commission Orders That:

1. The Application is deemed complete, for purposes of Section 40-6-109.5, C.R.S.

2. The issuance of an extension of authority under Certificate of Public Convenience and Necessity (CPCN) PUC No. 7465 as set forth in Appendix A attached to this Decision is granted to Aramark Food and support Services Group, Inc. (Aramark), subject to its full compliance with the requirements named in Ordering Paragraph No. 3.

3. Aramark shall not be granted the extension of authority under CPCN No. 7465 and shall not commence operations until it has fully complied with the following conditions:

- (a) cause proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;
- (b) pay to the Commission, the motor vehicle fee (\$50.00) for each vehicle to be operated under authority granted by the Commission, or in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;

- (c) file with the Commission and have an effective, publicly available tariff. The tariff should comply with Rule 6208 of the Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6. The tariff shall be filed in a *new* Advice Letter/Tariff proceeding on not less than ten days' notice prior to the proposed effective date. In calculating the proposed effective date, the date the tariff is received at the Commission is not included in the notice period and the entire notice period must expire prior to the proposed effective date;
- (d) register an authorized representative as a File Administrator on behalf of Aramark in the Commission's electronic filing system (E-Filings) and agree that Aramark shall receive notifications electronically through E-Filings. Information regarding E-filings can be found at: www.dora.state.co.us/pls/efi/EFI.homepage; and
- (f) pay the applicable fee (\$5.00) for the issuance of the authority.

4. The extension of authority under CPCN PUC No. 7465 shall not be issued and Aramark shall not operate under the extended authority unless it complies with all of the conditions in Ordering Paragraph No. 3.

5. If Aramark does not comply with each requirement in Ordering Paragraph No. 3, within 60 days of the effective date of this Decision, the extension of authority under CPCN PUC No. 7465 is denied without further action of the Commission. 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. Aramark shall operate in accordance with all applicable statutes, orders, and rules of the Commission. The Commission may issue an order to cease and desist or to suspend, revoke, alter, or amend any certificate or permit for violation of, or refusal to observe any statute, order, or rule of the Commission, consistent with § 40-10.1-112 (1), C.R.S.

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 effective date of this Decision.

8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 20, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners