

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24L-0138CP

IN THE MATTER OF THE APPLICATION FILED BY RAMBLIN' EXPRESS, INC. TO REVISE THE FREQUENCY OF THE SCHEDULED SERVICE BETWEEN POINTS IN THE DENVER METRO AREA AND BLACK HAWK, CENTRAL CITY AND CRIPPLE CREEK AS AUTHORIZED BY CERTIFICATE NO. 47966 ON LESS THAN STATUTORY NOTICE.

**DECISION GRANTING TIME SCHEDULE CHANGES
ON LESS-THAN-STATUTORY NOTICE**

Mailed Date: March 29, 2024

Adopted Date: March 27, 2024

I. BY THE COMMISSION

A. Statement

1. On March 22, 2024, Ramblin' Express, Inc. (Ramblin' Express), filed an application for authority to file the 1st Revised Page 16.1 to Passenger Tariff, Colorado PUC No. 3¹ to become effective on less-than-statutory notice.

2. Ramblin' Express, under Certificate No. 47966, may provide scheduled service between points in the Denver metro area, on the one hand, and points in Black Hawk and Central City, Colorado, on the other hand.

3. Ramblin' Express is proposing to revise the frequency of the scheduled service authorized by Certificate No. 47966 by eliminating the daily round-trip service between 8200 Smith Road, Denver and the casinos in Black Hawk and Central City.

¹ Rule 6209(a), 4 *Code of Colorado Regulations* 723-6, Time Schedules, requires that a common carrier with scheduled authority file its time schedule as part of its common carrier tariff. Therefore, the schedules are a section of Ramblin' Express's Passenger Tariff, Colorado PUC No. 3.

4. To support the proposed revisions to the scheduled service, Todd Holland, the president of Ramblin' Express, provided the following statements:

Ramblin Express hereby provides this Application to file a revised Tariff schedule page related to a reduction in scheduled services to and from the cities of Black Hawk, and Central City, Colorado, and to and from Cripple Creek, Colorado on less than statutory notice (LSN).

We request to have this revised Time Schedule effective as soon as possible. The lack of customer demand for shuttle services to Black Hawk and Central City from the Denver – RTD Central Park Station location, which we began offering services from last October, has proven to be financially burdensome and unsustainable.

With 17 daily roundtrips offered to the general public, after nearly 6 months of operation we are averaging 22 passengers per day, less than 2 passengers per trip.

It is worth noting that we have been communicating with the (very few) passengers currently riding with us from this location that service will be suspended soon and indefinitely, due to lack of demand.

5. As a common carrier, Ramblin' Express is required by Rule 6208(d) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6 to file revised tariffs and time schedules on 30 days' notice. However, Rule 6208(d) 4 CCR 723-6, allows the Commission to approve an application to shorten the 30-day notice period.

6. In consideration of the support provided with this application, the Commission finds that Ramblin' Express has shown good cause to approve the proposed time schedule changes to Passenger Tariff, Colorado PUC No. 3 on the requested less than 30 days' notice.

II. ORDER**A. The Commission Orders That:**

1. The Application filed on March 22, 2024, by Ramblin' Express, Inc. (Ramblin' Express) is deemed complete, for purposes of § 40-6-109.5, C.R.S.
2. The Application of Ramblin' Express to allow it to publish the 1st Revised Page 16.1 to Passenger Tariff, Colorado PUC No. 3 to become effective on less-than-statutory notice is granted.
3. Ramblin' Express is authorized to file, on not less than one day's notice to the Commission, an advice letter and the 1st Revised Page 16.1 to Passenger Tariff, Colorado PUC No. 3. The 1st Revised Page 16.1 to Passenger Tariff, Colorado PUC No. 3 is attached as Appendix A and made a part of this Decision.
4. The advice letter and 1st Revised Page 16.1 to Passenger Tariff, Colorado PUC No. 3 shall be filed within ten days of the effective date of this Decision in a new Advice Letter Proceeding.
5. 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.
6. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 27, 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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Commissioners