

Decision No. R24-0222-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0514CP-EXT

IN THE MATTER OF THE APPLICATION OF MEDRIDE, LLC FOR AUTHORITY TO
EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY NO. 55980.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ALENKA HAN
GRANTING UNOPPOSED
MOTION FOR EXTENSION OF TIME**

Mailed Date: April 9, 2024

I. STATEMENT AND PROCEDURAL HISTORY

A. Summary

1. This Decision grants the Applicant's Unopposed Motion for an extension of time within which to submit its supplemental exhibits, and witness and exhibit lists.

B. Procedural History

2. On October 19, 2023, MedRide, LLC (MedRide or Applicant) initiated this matter by filing an Application for Permanent Authority to Extend Operations Under Certificate of Public Convenience and Necessity (CPCN) No. 55980 (Extension Application), granted by Decision No. C22-0555, issued September 20, 2022, in Proceeding No. 22A-0318CP. MedRide seeks to expand its business by providing call-and-demand shuttle service from the Denver metro

area (from the Counties of Adams, Arapahoe, Park, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer, and Weld) to points throughout the State of Colorado.¹

3. MedRide currently holds CPCN No. 55980, under which Letter of Authority it is authorized to provide the following services:

- I. Transportation of passengers, in call-and-demand shuttle service between all points in El Paso County, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.
- II. Transportation of passengers, in call-and-demand shuttle service between all points in Pueblo County, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.

4. On October 23, 2023, the Public Utilities Commission (the Commission) provided public notice under § 40-6-108(2), C.R.S., of this Extension Application. As noticed, the Extension Application seeks:

An order of the Commission authorizing the extension of Certificate of Public Convenience and Necessity (CPCN) No. 55980.

The proposed extension of operations under CPCN No. 55980 is as follows:

Transportation of passengers in call-and-demand shuttle service between all points in the Counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer, Park, and Weld, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.²

5. The following entities intervened in this Proceeding:

- a) Mountain Star Transportation LLC, doing business as Explorer Tours (Explorer Tours);
- b) Alpine Taxi/Limo, Inc.;
- c) AEX, Inc.;
- d) San Miguel Mountain Ventures (SMMV), LLC;
- e) Estes Park Charters, Corp.; and

¹Application for Permanent Authority to Extend Operations under CPCN No. 55980, filed Oct. 19, 2023.

²Notice of Application and Petitions Filed, p. 2, filed October 23, 2023.

f) Home James Transportation Services, Ltd. (collectively referred to as the Alpine Intervenors).³

6. On November 29, 2023, the Commission deemed the Application complete and referred the matter to an Administrative Law Judge (ALJ) by minute entry for disposition. The Proceeding was subsequently assigned to the undersigned ALJ.

7. By Decision No. R24-0032-I, issued January 16, 2024, the undersigned ALJ determined that each of Intervenors had an Intervention as of Right in this Proceeding, and acknowledged all of the Interventions. The parties to this Proceeding therefore are MedRide, Explorer Tours, Alpine Taxi, AEX, SMMV, Estes Park Charters, and Home James Transportation.

8. Decision No. R24-0032-I also scheduled a prehearing conference for Tuesday, January 30, 2024.

9. Following the prehearing conference, on February 7, 2024, the undersigned ALJ issued Decision No. R24-0078-I establishing a procedural schedule to govern this Proceeding and scheduling an evidentiary hearing to be held April 25, 2024.

10. Under Decision No. R24-0078-I, Applicant was to submit its supplemental witness and exhibit lists, and file any additional exhibits, by April 4, 2024.

11. On April 4, 2024, MedRide moved for a one-week extension of time within which to supplement its witness and exhibit lists and to submit any additional exhibits, up to and including April 11, 2024.⁴ In its motion, MedRide represented that it had conferred with Explorer Tours' representative and with counsel for the Alpine Taxi Intervenors, and that none of the Intervenors objected to MedRide's Unopposed Motion for Extension of Time.⁵

³ The latter five Intervenors (b-f) jointly filed their Interventions and are represented by the same counsel. They shall be referred to jointly as "the Alpine Taxi Intervenors".

⁴ See Unopposed Motion for Extension of Time to Supplement Exhibits, Exhibit List, and Witness List, filed by Applicant MedRide, LLC, Apr. 4, 2024.

⁵ *Id.* at p. 1.

II. UNOPPOSED MOTION FOR EXTENSION OF TIME

12. MedRide's Unopposed Motion for Extension of Time represents that the press of other business and "ongoing settlement discussions" between the parties warrant an extension of time for it to file its supplemental witness and exhibit list and any additional exhibits.

13. By Decision No. R24-0078-I, the current deadline for Applicant to file its supplemental witness and exhibit list and any additional exhibits is April 4, 2024. It requests one additional week within which to supplement its witness and exhibit lists and file any additional exhibits.

14. As noted above, MedRide represents that no party opposes its request for an extension of time.

15. Because no party opposed the motion, the ALJ will waive response time to the motion.

16. The ALJ finds and concludes that an extension of time to accommodate Applicant's counsel's schedule and to provide the parties with additional time to discuss a potential settlement of this matter constitutes good cause for granting an extension. The ALJ further finds that no party will be prejudiced by this extension of time.

17. The ALJ will therefore grant MedRide's Unopposed Motion for Extension of Time.

III. ORDER

A. It is Ordered That:

1. Response time to the Unopposed Motion for Extension of Time to Supplement Exhibits, Exhibit List, and Witness List filed by Applicant MedRide, LLC, on April 4, 2024, is waived.

2. The Unopposed Motion for Extension of Time to Supplement Exhibits, Exhibit List, and Witness List filed by Applicant MedRide, LLC, on April 4, 2024, is granted.

3. Ordering ¶ 5.c. of Decision No. R24-0078-I, issued February 7, 2024, adopting a procedural schedule to govern this Proceeding, is modified as follows:

- c. MedRide may supplement its witness and exhibit lists in response to Intervenor's witness and exhibit list but must do so by filing and serving amended witness and exhibit lists, and any additional exhibits not already filed **by the close of business on April 11, 2024**. Any amended witness and exhibit lists filed by MedRide on or before April 11, 2024, should list all the witnesses and exhibits that MedRide intends to present at the hearing, including those listed in its previous witness and exhibit lists, and will supersede its prior witness and exhibit lists.

4. All other provisions of Decision No. R24-0078-I remain in effect.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ALENKA HAN

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director