

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0094EC

IN THE MATTER OF THE PETITION OF A LAST MINUTE LIMOUSINE LTD FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF RULE 6305(B) (AGE OF VEHICLES) OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

**INTERIM DECISION GRANTING
REQUEST FOR SHORTENED NOTICE**

Mailed Date: February 7, 2014
Adopted Date: February 5, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a request filed on January 28, 2014 by A Last Minute Limousine Ltd (Last Minute), to shorten the Commission notice period to ten days (Shortened Notice Request). The Shortened Notice Request was submitted concurrently with Last Minute's Petition for a Waiver/Variance (Petition) from Commission Rule 723-6-6305(b) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) for a 2002 Ford Excursion Stretch Limousine.

B. Findings and Conclusions

2. Through the Shortened Notice Request, Last Minute seeks to shorten notice from 30 days to 10 days from the date the Commission issues the notice of the Petition.

3. In support of its Shortened Notice Request, Last Minute states that the vehicles are out of service which will lead to no work for Last Minute's drivers in the meantime; no interventions are expected; and Last Minute's business was affected by the flooding in

Boulder County which led to financial hardships and a situation where Last Minute must seek a waiver for Last Minute's only two remaining vehicles.

4. Rule 1401(a) of the Commission's Rules of Practice and Procedure, 4 CCR 723-1 states "Except as provided by paragraph (d) of this rule, any person may file a notice of intervention as of right or a motion to intervene by permission within 30 days of notice of any administrative or adjudicatory proceeding, unless the Commission's notice or a specific rule or statute provides otherwise."

5. Rule 1003(a) provides that:

The Commission has promulgated these rules to ensure orderly and fair treatment of all persons. The Commission may, for good cause shown, grant waivers or variances from tariffs, Commission rules, and substantive requirements contained in Commission decisions. In making its determination the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

6. We find that good cause exists to grant Last Minute's Shortened Notice Request. The reason for the Shortened Notice Request, and the requested time period are reasonable. The Petition will be placed on the next transportation notice, on February 10, 2014, for a period of ten days. Interventions shall be due at **5:00 p.m. on February 20, 2014.**

II. ORDER

A. It Is Ordered That:

1. The request by A Last Minute Limousine Ltd to shorten Commission notice is granted. The notice period for the Petition for Waiver/Variance from Commission Rule 6305(b), 4 *Code of Colorado Regulations* 723-6, shall extend through and including **5:00 p.m. on February 20, 2014.**

2. Any person desiring to intervene or participate as a party in this proceeding, including Staff of the Commission, shall file a petition for leave to intervene, or under the

Commission's Rules of Practice and Procedure, file other appropriate pleadings to become a party, by **5:00 p.m. on February 20, 2014.**

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 5, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners