

Decision No. C14-0490

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0328CP

IN THE MATTER OF THE PETITION OF MILE HIGH CAB, INC. FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF RULE 6007(A) OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6, AND REQUEST FOR SHORTENED NOTICE.

**COMMISSION DECISION
DENYING PETITION AS MOOT**

Mailed Date: May 9, 2014
Adopted Date: May 7, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Petition for Waiver and Related Relief from Provisions of Rule 6007 of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6 (Petition) filed on April 10, 2014 by Mile High Cab, Inc. (Mile High Cab). Consistent with the discussion below, we deny the Petition as moot.

B. Background

2. By Decision No. R13-0943, issued on August 2, 2013 in Proceeding No. 13R-0009TR,¹ an Administrative Law Judge recommended changes to Rule 6007(a)(I) and other Rules. These changes raised minimum levels of liability coverage for common carriers, contract carriers, and limited regulation carriers. The Decision raised the minimum level of

¹ *In the Matter of the Proposed Rules Regulating Transportation by Motor Vehicle, 4 Code of Colorado Regulations (CCR) 723-6.*

liability coverage for common and contract carriers for vehicles with a seating capacity of eight persons or less from \$500,000 to \$1,500,000.

3. No interested party filed exceptions on the issue of minimum levels of insurance. The Commission did not modify these changes to Rule 6007(a)(I) in issuing later decisions in Proceeding No. 13R-0009TR.² The new rules went into effect on February 14, 2014.

4. Mile High Cab was granted authority to provide taxi service in the Denver metro area by Decision No. R13-1518 on December 10, 2013, and Decision No. C14-0304 on March 21, 2014, in Proceeding No. 08A-407CP. As of May 6, 2014, Mile High Cab has not completed the requirements necessary to be issued its certificate. Mile High Cab, in this Petition, is requesting a waiver of Rule 6007(a)(I) due to the potential financial hardship resulting from the increased cost of premiums for \$1,500,000 in liability coverage.

5. On April 29, 2014, MKBS, LLC, doing business as Metro Taxi and/or Taxis Fiesta and/or South Suburban Taxi and/or Northwest Suburban Taxi (Metro Taxi) timely filed a notice of intervention by right and alternative petition to intervene by permission in this proceeding.

6. By Decision No. C14-0456, mailed on May 1, 2014 in Proceeding No. 14R-0391TR,³ the Commission adopted emergency rules that return the minimum levels for motor vehicle insurance coverage to the levels effective on February 13, 2014.

7. Given the promulgation of these emergency rules, we deny the Petition filed by Mile High Cab as moot and deny the intervention filed by Metro Taxi as moot.

² Decision No. C13-1259, issued on October 10, 2013 (addressing exceptions to Decision No. R13-0943), and Decision No. C13-1480, issued on November 29, 2013 (addressing applications for rehearing, reargument, or reconsideration to Decision No. C13-1259).

³ *In the Matter of the Emergency Rules Implementing Changes to Rule 6007(A)(I) of the Rules Regulating Transportation by Motor Vehicle, 4 Code of Colorado Regulations (CCR) 723-6.*

II. ORDER

A. The Commission Orders That:

1. The Petition for Waiver and Related Relief from Provisions of Rule 6007 of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6 filed on April 10, 2014, by Mile High Cab, Inc. is denied as moot.

2. The Entry of Appearance, Intervention by Right, and Alternative Motion to Permissively Intervene filed on April 29, 2014, by MKBS, LLC, doing business as Metro Taxi and/or Taxis Fiesta and/or South Suburban Taxi and/or Northwest Suburban Taxi is denied as moot.

3. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 7, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

Commissioners

COMMISSIONER GLENN A. VAAD ABSENT.