Decision No. C19-0913

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0535BP-SUSPENSION

IN THE MATTER OF THE APPLICATION OF AAA TRANSPORTATION FOR AN ORDER OF THE COMMISSION AUTHORIZING A SUSPENSION OF CONTRACT CARRIER PERMIT NO. B-10033.

COMMISSION DECISION GRANTING SUSPENSION OF OPERATIONS

Mailed Date: November 12, 2019 Adopted Date: October 30, 2019

I. <u>BY THE COMMISSION</u>

A. Statement, Findings, and Conclusions

- 1. On October 2, 2019, AAA Transportation LLC filed an application seeking authority to suspend operations under Contract Carrier Permit No. B-10033 from October 3, 2019 through May 1, 2020. An amendment to the application was filed on October 7, 2019.
- 2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on October 15, 2019, for a period of ten days.
- 3. 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.
- 4. Pursuant to Rule 6205(a) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6, a regulated intrastate carrier wishing to voluntarily suspend its authority shall file an application explaining why the suspension is sought and how the suspension will affect the public. Rule 6205(b)(II), 4 CCR 723-6, sets a maximum

time limit of "12 months in any 24-month period." However, Rule 6205(c), 4 CCR 723-6, states that any request for waiver or variance from this time period limitation must demonstrate that the

suspension is in the public interest and that alternative service will be available.

- 5. Although the applicant was granted suspensions for the two previous winter seasons, we find that the information submitted with this application satisfies Rule 6205(c), 4 CCR 723-6, and warrants the granting of the requested suspension.
- 6. Therefore, we find that this application for authority to suspend Contract Carrier Permit No. B-10033 is in the public interest and will be granted.

II. ORDER

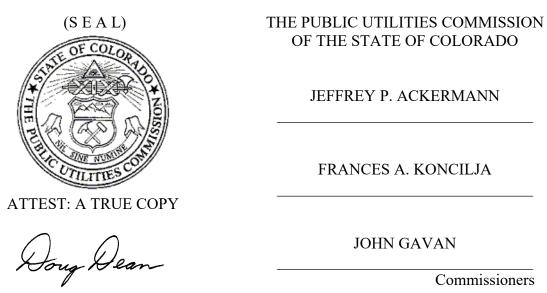
A. The Commission Orders That:

- 1. This application was deemed complete on October 30, 2019, within the meaning of § 40-6-109.5, C.R.S.
- 2. The application filed by AAA Transportation LLC for authority to suspend operations under Contract Carrier Permit No. B-10033 is granted, *nunc pro tunc*, from October 3, 2019 through May 1, 2020.
- 3. On May 2, 2020, Contract Carrier Permit No. B-10033 shall be administratively reactivated.
- 4. Prior to commencing operations, AAA Transportation LLC shall: (a) cause proof of insurance or surety bond coverage to be filed with the Commission pursuant to Rule 6008, 4 *Code of Colorado Regulations* 723-6; (b) pay to the Commission the applicable vehicle identification fee for each vehicle to be operated under authority granted by the Commission;

¹ See, Decision No. C17-0746 in Proceeding No. 17A-0565BP-Suspension issued September 12, 2017, and Decision No. C18-0758 in Proceeding No. 18A-0550BP-Suspension issued November 18, 2018.

and, (c) ensure that an effective tariff is on file with the Commission, in compliance with applicable Commission rules.

- 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 Commission mails or serves this Decision.
 - 6. This Decision is effective on its Mailed Date.
 - B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING October 30, 2019.



Doug Dean, Director