

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. BY THE COMMISSION

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,¹ 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.**

(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

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners