

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0321CP-SUSPENSION

IN THE MATTER OF THE APPLICATION OF BRECKDIRECT LLC DOING BUSINESS AS PEAK 1 EXPRESS AND/OR PEAK ONE EXPRESS FOR AN ORDER OF THE COMMISSION AUTHORIZING A SUSPENSION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55937.

**COMMISSION DECISION GRANTING
SUSPENSION OF OPERATIONS**

Mailed Date: August 26, 2020

Adopted Date: August 19, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On July 29, 2020, BreckDirect LLC, doing business as Peak 1 Express and/or Peak One Express, filed an application seeking approval to suspend operations under its authority, Certificate of Public Convenience and Necessity (CPCN) PUC No. 55937, from May 1, 2020 through October 31, 2020, due to the COVID-19 pandemic.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on August 3, 2020, 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. In accordance with Rule 6205 of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6, the information submitted with this application warrants the granting of a suspension of operations. Because a previous suspension was granted

from May 1, 2020 through July 31, 2020,¹ this suspension will be granted from August 1, 2020 through the requested date of October 31, 2020.

5. The application for authority to suspend CPCN PUC No. 55937 is in the public interest and will be granted.

II. **ORDER**

A. **The Commission Orders That:**

1. This application was deemed complete on August 19, 2020, within the meaning of § 40-6-109.5, C.R.S.

2. The application filed by BreckDirect LLC, doing business as Peak 1 Express and/or Peak One Express on July 29, 2020, for authority to suspend operations under Certificate of Public Convenience and Necessity (CPCN) PUC No. 55937 is granted, *nunc pro tunc*, from August 1, 2020 through October 31, 2020.

3. On November 1, 2020, CPCN PUC No. 55937 shall be administratively reactivated.

4. Prior to commencing operations, BreckDirect LLC, doing business as Peak 1 Express and/or Peak One Express, 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; and, (c) ensure that an effective tariff is on file with the Commission, in compliance with applicable Commission rules.

¹ See, Decision No. C20-0388, mailed on May 22, 2020, in Proceeding No. 20A-0182CP-Suspension.

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
August 19, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners