

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0646CP-EXTENSION

IN THE MATTER OF THE APPLICATION OF CKIMY LLC DOING BUSINESS AS ILIMO FOR PERMANENT AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55822.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
GRANTING INTERVENTION, REQUIRING FILING, AND
SETTING PREHEARING CONFERENCE**

Mailed Date: January 13, 2020

I. STATEMENT

1. On November 15, 2019, Ckimy LLC, doing business as ilimo (ilimo) initiated the captioned proceeding by filing an application seeking authority to extend operations under Certificate of Public Necessity and Convenience (CPCN) No. 55822 (Application) with the Colorado Public Utilities Commission (Commission).

2. On November 25, 2019, the Commission provided public notice of the application to extend the permit by publishing a summary of the same in its Notice of Applications Filed:

Currently, CPCN No. 55822 authorizes the following:

(A) Transportation of

passengers in call-and-demand shuttle and charter service

between all points in the Counties of Adams, Arapahoe, Denver, Douglas, and Jefferson, State of Colorado, on the one hand, and all points in the Counties of Clear Creek, Eagle, Grand, and Summit, State of Colorado, on the other hand.

RESTRICTIONS: This authority is restricted:

- (1) against providing transportation service to or from Denver International Airport, Denver, Colorado;
- (2) against originating or terminating transportation service at points within the area in downtown Denver defined as follows: beginning at the intersection of 15th Street and Blake Street, then northeast along Blake Street to 18th Street; then southeast along 18th Street to Broadway; then south along Broadway to Colfax Avenue; then west along Colfax Avenue to 15th Street; then northwest along 15th Street to the point of beginning;
- (3) against originating or terminating transportation service at points within a [one] and one-half mile radius of the Denver West Marriott, 1717 Denver West Marriott Boulevard, Golden, Colorado; and
- (4) to the use of vehicles with a minimum seating capacity of 12 passengers.

(B) Transportation of

passengers in call-and-demand shuttle service

between all points in the Counties of Adams, Arapahoe, Denver, and Douglas, State of Colorado, on the one hand, and 18300 West Alameda Parkway, Red Rocks Park and Amphitheater, Morrison, Colorado, on the other hand.

RESTRICTIONS: This authority is restricted:

- (1) against providing transportation service to or from Denver International Airport, Denver, Colorado; and
- (2) to the use of vehicles with a minimum seating capacity of no less than 15 passengers.

If the extension is granted, CPCN No. 55822 will read:

(A) Transportation of

passengers in call-and-demand shuttle and charter service

between all points in the Counties of Adams, Arapahoe, Denver, Douglas, Jefferson, Clear Creek, Eagle, Grand, and Summit, State of Colorado.

(B) Transportation of passengers in call-and-demand shuttle service

between all points in the Counties of Adams, Arapahoe, Denver, and Douglas, State of Colorado, on the one hand, and 18300 West Alameda Parkway, Red Rocks Park and Amphitheater, Morrison, Colorado, on the other hand.

3. On December 9, 2019, Home James Transportation Services, LTD (Home James) filed its Intervention and Entry of Appearance through its counsel, Mark T. Valentine. This filing attached Commission Authority No. 16114 held by Home James.

4. On December 20, 2019, Aspire Tours (Aspire) filed its Petition of Intervention and Entry of Appearance through Kathrin Troxler, a co-owner owner of Aspire, and its counsel, Scott Dunbar. This filing states that Commission Authority No. 55865 held by Aspire is attached to its Intervention; however, Commission Authority No. 55865 is neither attached nor filed separately as an exhibit to the Intervention.

5. On January 2, 2020, the Commission deemed the application complete and referred it to the undersigned Administrative Law Judge (ALJ) for disposition.

II. INTERVENTIONS

6. The undersigned ALJ finds good cause to grant the intervention of Home James.

7. As noted above, Aspire failed to file any Commission authority with its intervention. Aspire shall file copies of its Commission authority as required by 4 *Code of Colorado Regulations* 723-1-1401(e)(I) if the Rules of Practice and Procedure, no later than January 24, 2020. Failure to do so shall result in the intervention being denied.

III. PREHEARING CONFERENCE

8. Given the procedural posture of the case, it is appropriate to hold a prehearing conference to address several issues. The parties to this proceeding should be prepared to

discuss all procedural and substantive issues, including, but not limited to, deadlines for witness lists, exhibits, and a date(s) for a hearing on the Application.

9. All parties are expected to appear at the prehearing conference.

10. Failure to appear for the prehearing conference may result in dismissal of the respective application or intervention.

11. A prehearing conference in this matter shall be scheduled as ordered.

IV. ORDER

A. It Is Ordered That:

1. A prehearing conference in this proceeding is scheduled as follows:

DATE: February 4, 2020

TIME: 10:00 a.m.

PLACE: Commission Hearing Room
1560 Broadway, 2nd Floor
Denver, Colorado

2. The Intervention filed by Home James Transportation Services, LTD on December 9, 2019 is granted.

3. Aspire Tours shall file its Commission Authority no later than the close of business on January 24, 2020.

4. All parties are required to appear for the prehearing conference.

5. The Parties shall be held to the advisements in this Decision.

6. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director