

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 20A-0261CP

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IN THE MATTER OF THE APPLICATION OF TRANSPORTIA INC. DOING BUSINESS AS FLY AWAY SHUTTLE TRANSPORTATION INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
STEVEN H. DENMAN  
RESCHEDULING REMOTE HEARING**

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Mailed Date: September 9, 2020

**I. STATEMENT**

**A. Procedural History**

1. On June 16, 2020, Transportia Inc., doing business as Fly Away Shuttle Transportation Inc. (Applicant), filed an Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire (Application).<sup>1</sup> That filing commenced this proceeding.

2. On June 29, 2020, the Commission issued its Notice of Application Filed (Notice). As noticed, the Application was:

For authority to operate as a common carrier by motor vehicle for hire for the transportation of

passengers in call-and-demand shuttle service

between all points in the Counties of Larimer and Weld, State of Colorado, on the one hand, and Denver International Airport, on the other hand.

The 30-day intervention deadline set by the Notice expired on July 29, 2020.

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<sup>1</sup> On June 24, 2020, Applicant filed an Amended Application to correct the name of the company and the state of its incorporation, as well as the type of service proposed.

3. Applicant did not file testimony and exhibits with its Application and, therefore, seeks a Commission decision within 210 days after the Application was deemed complete, or no later than March 3, 2021.<sup>2</sup>

4. During the Commission's weekly meeting held on August 5, 2020, the Commission deemed the Application complete and referred it to an Administrative Law Judge (ALJ) for disposition. Subsequently, the undersigned ALJ was assigned to preside over this proceeding.

5. The procedural history of the above-captioned proceeding is set forth in Decisions previously issued in this proceeding and is repeated here as necessary to put this Decision into context.

6. On July 17, 2020, Estes Valley Transport, Inc. (Estes Valley Transport), through counsel, filed its Entry of Appearance and Intervention. On the same date, Estes Valley Transport also filed an Exhibit and Witness Summary. Decision No. R20-0640-I (issued on September 2, 2020) acknowledged Estes Valley Transport's intervention by right.

7. Applicant and Estes Valley Transport are the Parties to this proceeding.

8. Decision No. R20-0640-I adopted a procedural schedule for the parties to file, and to serve on each other, certain prehearing disclosures.<sup>3</sup> Applicant was ordered to file its prehearing disclosures on or before September 9, 2020; and Estes Valley Transport was ordered to file its prehearing disclosures on or before September 22, 2020.

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<sup>2</sup> See § 40-6-109.5(2), C.R.S. (2019)

<sup>3</sup> The prehearing disclosures to be filed by each party are: (a) a list that identifies the witnesses the party intends to call at the hearing, including the last known address and telephone number of each witness; (b) a summary of the anticipated testimony of each witness; and (c) copies of the exhibits the party intends to present at the hearing.

9. Decision No. R20-0640-I scheduled a remote hearing in this proceeding for Tuesday, September 29, 2020 at 9:30 a.m. and included instructions and requirements for how to participate in the remote videoconference hearing and procedures for the presentation of exhibits submitted electronically during the evidentiary hearing.<sup>4</sup>

10. Since scheduling the remote hearing in this proceeding, a scheduling conflict for the ALJ has developed. Therefore, the remote evidentiary hearing in this proceeding set for September 29, 2020 at 9:30 a.m. will be vacated. The remote evidentiary hearing will be rescheduled for October 6, 2020 at 9:30 a.m.

11. The instructions and requirements for how to participate in the remote videoconference hearing and procedures for the presentation of exhibits submitted electronically during the evidentiary hearing, as established in Decision No. R20-0640-I and Attachments A and B, will remain in effect.

12. The procedural schedule for the parties to file, and to serve on each other, their prehearing disclosures, as adopted in Decision No. R20-0640-I, will remain in effect.

13. The Advisements provided in Decision No. R20-0640-I will remain in effect.

## **II. ORDER**

### **A. It Is Ordered That:**

1. The remote evidentiary hearing scheduled in this proceeding for September 29, 2020 at 9:30 a.m. shall be vacated.

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<sup>4</sup> See Decision No. R20-0640-I and Attachments A and B.

2. The remote evidentiary hearing in this proceeding is rescheduled, as follows:

DATE: October 6, 2020

TIME: 9:30 a.m.

FOR WEBCASTS: Hearing Room A

METHOD: Join by video conference at the link to be provided by the email from the Administrative Law Judge, **OR**

Join by telephone: Dial the telephone number provided in the email, and when prompted, enter the PIN (or Meeting ID) in the email.

3. The instructions and requirements for participating in the remote videoconference hearing and the procedures for the presentation of exhibits submitted electronically during the evidentiary hearing, as established in Decision No. R20-0640-I (issued on September 2, 2020) and Attachments A and B thereto, shall remain in effect.

4. The procedural schedule for the parties to file, and to serve on each other, their prehearing disclosures, established in Decision No. R20-0640-I shall remain in effect.

5. The Parties shall continue to comply with the advisements provided in Decision No. R20-0640-I, and they shall make the filings as required by the procedural schedule established by Decision No. R20-0640-I.

6. Additional procedural requirements and matters may be addressed in future Decisions.

7. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

STEVEN H. DENMAN

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,  
Director