

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0213CP-SPTN

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 A PORTION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55937.

**COMMISSION DECISION GRANTING
PARTIAL SUSPENSION OF OPERATIONS**

Mailed Date: June 1, 2023
Adopted Date: May 24, 2023

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On May 1, 2023, BreckDirect LLC, doing business as Peak 1 Express and/or Peak One Express, filed an application requesting that the Commission authorize the suspension of scheduled service operations under Certificate of Public Convenience and Necessity (CPCN) PUC No. 55937, from May 1, 2023, through November 1, 2023.¹

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on May 8, 2023, for a period of ten days.

¹ Item (I) of CPCN 55937 authorizes the transportation of passengers in scheduled service between 100 Wulfson Road in Glenwood Springs, and the Hanging Lake parking lot at Exit 125 of Interstate Highway 70. It is restricted to service provided from May 1 through October 31 of each year.

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 the requested partial suspension.

5. The application for authority to suspend the scheduled services under 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 May 24, 2023, 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, for authority to suspend the scheduled service portion of Certificate of Public Convenience and Necessity (CPCN) PUC No. 55937 is granted, *nunc pro tunc*, from May 1, 2023, through November 1, 2023.

3. Prior to commencing scheduled services, BreckDirect LLC, doing business as Peak 1 Express and/or Peak One Express, shall ensure: (a) proof of insurance or surety bond coverage is filed with the Commission pursuant to Rule 6008, 4 *Code of Colorado Regulations* 723-6; (b) the applicable vehicle identification fee for each vehicle to be operated under authority granted by the Commission is paid; and, (c) an accurate and effective tariff and time schedule is on file with the Commission, in compliance with applicable Commission rules.

4. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, re-argument, or reconsideration shall begin on the first day after the Commission mails or serves this Decision.

5. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 24, 2023.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Rebecca E. White'.

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners