

Decision No. C24-0190

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0553CP-EXT

IN THE MATTER OF THE APPLICATION OF SOBER BUDDY SHUTTLE, LLC FOR AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55951.

**COMMISSION DECISION GRANTING
EXTENSION OF TIME**

Mailed Date: March 22, 2024

Adopted Date: March 20, 2024

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a letter submitted on March 13, 2024, by Sober Buddy Shuttle, LLC (Sober Buddy), requesting that the Commission grant a 45-day¹ extension to comply with the compliance requirements of Decision No. C24-0022 (Decision).

2. On November 6, 2023, Sober Buddy filed an application for authority to extend operations under Certificate of Public Convenience and Necessity (CPCN) No. 55951.

3. The Commission noticed the application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on November 13, 2023. This proceeding was uncontested, and therefore was determined without a hearing.

¹ The letter submitted on March 13, 2024, references a 35-day extension and a 45-day extension. The Commission will assume the reference to a 35-day extension may have been an error and acknowledges the extension request is for a period of 45 days.

4. On January 11, 2024, the Commission issued the Decision and granted the extension application, subject to Sober Buddy's compliance with the requirements named in Ordering Paragraph No. 3 of the Decision.

5. Ordering Paragraph No. 3 of the Decision requires Sober Buddy to file proof of insurance; pay the motor vehicle fee and issuance fee; submit an advice letter and tariff; and register with the Commission's electronic filing system.

6. The Decision required Sober Buddy to comply with each of these requirements within 60 days of its effective date of January 11, 2024. Therefore, Sober Buddy had until March 11, 2024, to complete the requirements of Ordering Paragraph No. 3. Sober Buddy did not complete all of the requirements by March 11, 2024.

7. Ordering Paragraph No. 11 states "If Applicant fails to comply with the prerequisites required by Ordering Paragraph No. 3 within 60 days of the effective date of the Decision, the requested extension of authority under CPCN PUC No. 55951 will be deemed denied and Applicant will not be granted the requested permanent authority."

8. On March 13, 2024, Sober Buddy filed the letter requesting an additional 45 days to comply with the Decision. To support the request, Sober Buddy states:

Regarding the above-cited decision and proceeding numbers, I hereby request an extension of 35 days in order to satisfy all conditions set forth in said decision. Currently the effective date of the decision is its mailing date of January 11, 2024 with a working period of 60 days which expired on March 11, 2024.

If the 45-day extension is granted, the new working period of the decision would be set to expire on or before April 25, 2024.

The reason for this request is due to an inadvertent clerical error. The proposed tariff was filed with the PUC via the electronic filing system on March 11, 2024 at 5:24 PM, but the filer was unaware that the filing cutoff for the system would not recognize such a submission until the subsequent business day (March 12, 2024). In addition, the submission should have included only the tariff as applied to the newly extended authority.

This administrative oversight was unintentional. As such, Sober Buddy Shuttle will be resubmitting the tariff to permit the notice period to expire before the new tariff becomes effective. The filing has since been corrected to align with the requisite number of days for a compliant notice period and filing.

9. The Commission finds that the information submitted by Sober Buddy on March 13, 2024, does show that good cause exists to reopen Proceeding 23A-0553CP-EXT and grant its request for an additional 45 days to comply with the Decision.

II. ORDER

A. The Commission Orders That:

1. The filing submitted by Sober Buddy Shuttle, LLC (Sober Buddy), on March 13, 2024, requesting that the Commission grant a 45-day extension for it to complete the requirements set forth in Decision No. C24-0022, is granted.

2. Sober Buddy Shuttle is granted 45 days from the Mailed Date of this Decision to comply with the requirements set forth in Decision No. C24-0022.

3. 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.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 20, 2024.**

(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