

Decision No. R24-0155-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0347CP-EXT

IN THE MATTER OF THE APPLICATION OF MEDRIDE, LLC FOR AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55980.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ALENKA HAN
SCHEDULING PREHEARING CONFERENCE**

Mailed Date: March 11, 2024

I. STATEMENT AND PROCEDURAL HISTORY

1. On June 29, 2023, MedRide, LLC (MedRide or Applicant) initiated this matter by filing an Application for Permanent Authority to Extend Operations Under Certificate of Public Convenience and Necessity No. 55980 (Extension Application), which had been granted by Decision No. C22-0555, issued September 20, 2022, in Proceeding No. 22A-0318CP. MedRide seeks to expand its existing transportation authority to provide call-and-demand shuttle services from Mesa County to all points throughout the State of Colorado.

2. MedRide was issued its Letter of Authority to operate out of El Paso County by Decision No. C22-0555, issued September 20, 2022, in Proceeding No. 22A-0318CP.

3. By Decision No. C23-0458, issued July 17, 2023, in Proceeding No. 23A-0239CP-EXT, MedRide's authority was extended to include service originating in Pueblo County as well.

4. MedRide currently holds CPCN No. 55980, under which Letter of Authority it is entitled to provide the following services:

- (I) Transportation of passengers, in call-and-demand shuttle service between all points in El Paso County, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.
- (II) Transportation of passengers, in call-and-demand shuttle service between all points in Pueblo County, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.

5. On July 10, 2023, the Public Utilities Commission (the Commission) provided public notice under § 40-6-108(2), C.R.S., of the Extension Application. As noticed, the Extension Application seeks:

- an order of the Commission authorizing the extension of Certificate of Public Convenience and Necessity (CPCN) No. 55980. The proposed extension of operations under CPCN No. 55980 is as follows:
- Transportation of passengers, in call-and-demand shuttle service between all points in Mesa County, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.¹

6. On July 19, 2023, Tazco, Inc., doing business as Sunshine Rides and/or Sunshine Taxi (Sunshine Taxi or Intervenor), filed its Notice of Intervention by Right, Alternative Motion for Intervention, Entry of Appearance and Request for Hearing.

7. Sunshine Taxi’s Letter of Authority, CPCN No. 19429, which it provided with its Intervention, authorizes Sunshine Taxi to offer the following services:

- I. Transportation of passengers, in taxi service, between all points in the County of Mesa, State of Colorado, and between these points, on the one hand, and all points in the State of Colorado, on the other hand.
- II. Transportation of passengers, in charter and call-and-demand limousine service, between all points in the County of Mesa, State of Colorado, and between these points, on the one hand, and all points in the State of Colorado, on the other hand.
- III. Transportation of passengers, in sightseeing service, between points in the Counties of Mesa and Delta, State of Colorado.

RESTRICTIONS: This Certificate is restricted as follows:

¹ Notice of Application and Petitions Filed, p. 2, filed July 10, 2023.

- A. Item (I) is restricted against the pickup of passengers within a ten-mile radius of the downtown post office in Telluride, Colorado;
- B. Item (II) is restricted against providing service to or from points in the County of Routt, State of Colorado;
- C. Item (II) is restricted against providing service from points within a five-mile radius of the intersection of U.S. Highway 160 and 550 in Durango, Colorado;
- D. Item (II) is restricted against providing service from points in the Counties of Gunnison, Eagle, Denver, San Juan, or Archuleta, State of Colorado;
- E. Item (II) is restricted against providing service from points within a 25-mile radius of the downtown post office in Telluride, Colorado; and
- F. Items (I) and (II) are restricted against the maintenance of an office within a 25-mile radius of the downtown post office in Telluride, Colorado.

8. On August 16, 2023, the Commission deemed the Extension Application complete, and referred the matter to an Administrative Law Judge (ALJ) by minute entry for disposition. This Proceeding was then assigned to the undersigned ALJ.

9. By Decision No. R23-0798-I, issued December 4, 2023, the undersigned ALJ scheduled an evidentiary hearing in this matter for Tuesday, March 19, 2024, in Grand Junction, Colorado.

10. The evidentiary hearing is now approaching and issues concerning the evidentiary hearing need to be discussed in advance of the hearing.

II. THIRD PREHEARING CONFERENCE

11. To ensure the evidentiary hearing proceeds smoothly, the ALJ is scheduling a third fully-remote prehearing conference per Rule 1409(a), 4 CCR 723-1, to be held on **Tuesday, March 12, 2024, at 9:00 a.m.**

12. Participants will appear at the prehearing conference from remote locations by videoconference and may not appear in person for the prehearing conference. The remote prehearing conference will be held using the web-hosted service, Zoom. Attachment A hereto

includes important technical information and requirements to facilitate holding the prehearing conference remotely. All those participating in the prehearing conference must carefully review and follow all requirements in this Decision and Attachment A.

13. To minimize the potential that the videoconference hearing may be disrupted by non-participants, the link and meeting ID or access code to attend the hearing will be provided to the participants by email before the hearing, and the participants will be prohibited from distributing that information to anyone not participating in the hearing.

14. At the prehearing conference, logistics for the evidentiary hearing scheduled for Tuesday, March 19, 2024, will be discussed. Parties and counsel should come to the prehearing conference prepared to discuss the submission of exhibits, witnesses who will be appearing at the hearing, length of the hearing, motions they wish to raise prior to the hearing, and any other issues which should be discussed prior to the evidentiary hearing.

15. All parties are on notice that failure to appear at the prehearing conference will result in decisions adverse to their interests, including granting the complete relief opposing parties seek, dismissing interventions, and dismissing or granting the Extension Application. The ALJ will deem any party's failure to appear at the prehearing conference to be a waiver of that party's objection to the rulings made during the prehearing conference.

III. ORDER

A. It Is Ordered That:

1. A fully remote prehearing conference in this Proceeding is scheduled as follows:

DATE: Tuesday, March 12, 2024

TIME: 9:00 a.m.

PLACE: Join by videoconference using Zoom

2. All participants must comply with the requirements in Attachment A to this Decision, which is incorporated into this Decision.

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ALENKA HAN

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director