

Decision No. R24-0201-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
MODIFYING PROCEDURAL SCHEDULE**

Mailed Date: April 1, 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). 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 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.

3. This 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

4. 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.

5. 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:

- 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.

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

6. 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.

7. 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.

8. The ALJ converted the hearing to a fully-remote format by Decision No. R24-0162-I, issued March 13, 2024.

9. The ALJ held the evidentiary hearing remotely as scheduled on **Tuesday, March 19, 2024, commencing at 9:00 a.m.**

10. The following individuals represented the parties at the hearing:

- a) Henry Baskerville and Lenora Plimpton of Fortis Law Partners, LLC, appeared on behalf of the Applicant; and,
- b) Mark Valentine of Keyes & Fox, LLP, appeared on behalf of the Intervenor.

11. Decision No. R23-0798-I also established a deadline of April 12, 2024, by which the parties were to submit their post-hearing Statements of Position.

12. At the conclusion of the March 19, 2024 evidentiary hearing, the parties' counsel and the undersigned ALJ discussed the deadline for the parties to submit their respective Statements of Position.

II. MODIFICATION OF PROCEDURAL SCHEDULE

13. At the close of the evidence, Mr. Valentine requested that the court reporter prepare a transcript of the evidentiary hearing.

14. Because of the press of other Commission business, the court reporter indicated that she will be unable to deliver the completed transcript to the parties until approximately two weeks after the evidentiary hearing.

15. Because counsel for the parties expressed concern that they would not have sufficient time to complete and submit their Statements of Position by the April 12, 2024 deadline if the transcript is not available until the first week of April 2024, the parties requested that the deadline for Statements of Position be extended by one week.

16. The ALJ notes that, pursuant to § 40-6-109.5(3), C.R.S., MedRide waived the statutory time period within which a final Commission decision must issue.

17. The ALJ finds and concludes that extending the deadline for submitting Statements of Position by one week is reasonable and appropriate and will provide the parties with sufficient time to prepare and submit their respective post-hearing Statements of Position.

18. The ALJ will therefore modify the procedural schedule to extend the deadline for the submission of Statements of Position by one week, up to and including April 19, 2024.

III. ORDER

A. It Is Ordered That:

1. The procedural schedule established by Decision R23-0798-I, issued December 4, 2023, is modified.

2. The deadline for the parties to submit Statements of Position will be extended one week, up to and including April 19, 2024.

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