

Decision No. R24-0616-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0265CP

IN THE MATTER OF THE APPLICATION OF SHANE'S SHUTTLE LLC, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM DECISION
SCHEDULING REMOTE HEARING, AND PROVIDING
FURTHER INSTRUCTIONS REGARDING REMOTE
PARTICIPATION IN, AND REMOTE PRESENTATION OF
EXHIBITS AT, THE REMOTE HEARING**

Issued Date: August 27, 2024

I. STATEMENT

A. Background

1. On June 4, 2024, Shane's Shuttle, LLC ("Shane's Shuttle") filed the application described in the caption above ("Application").

2. On June 10, 2024, the Commission issued public notice of the authority sought by Shane's Shuttle in the Application as follows:

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 County of Jefferson, on the one hand, and Denver International Airport, on the other hand.

3. On June 12, 2024, Golden West Airport Shuttle, LLC doing business as Golden West Airport Shuttle, filed an intervention claiming that the authority sought by Shane's Shuttle would overlap with their own authority described in Certificate of Public Convenience and

Necessity Nos. 55789. Golden West Airport Shuttle further asserts that it would be harmed if the Application is granted.

4. On July 17, 2024, the Commission deemed the Application complete and referred the proceeding by minute entry to an Administrative Law Judge (“ALJ”). The proceeding was subsequently assigned to the undersigned ALJ.

5. On July 29, 2024, the ALJ issued Decision No. R24-0545-I that addressed the representation of the parties, established a prehearing schedule, and provided the opportunity for the parties to file a Statement Regarding Hearing identifying the party’s preference for an in-person, remote, or hybrid hearing. Decision No. R24-0545-I also stated that, to the extent a party prefers an in-person hearing, the party must identify in its Statement Regarding Hearing its preferred location and provide an explanation of why the hearing should not take place in one of the Commission’s hearing rooms in Denver. Decision No. R24-0545-I set August 12 as the deadline to file a Statement Regarding Hearing.

6. On August 12, 2024, Golden West Airport Shuttle filed a Statement Regarding Hearing in which it expressed a preference for “a remote hearing to allow witnesses to appear virtually.” Shane’s Shuttle did not file a Statement Regarding Hearing.

B. Remote Evidentiary Hearing

7. The hearing shall be scheduled for **October 31, 2024** as a remote hearing. To minimize the potential that the video-conference part of the hearing may be disrupted by non-participants, the link, meeting ID code, and passcode 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.

8. Any party with a scheduling conflict must file a motion to reschedule the hearing by **September 9, 2024**. Before filing the motion, the filing party must confer with the other parties about whether any other party opposes the motion and the dates that all of the parties are available during November 4-5, 18-21, 2024. The motion to reschedule must: (a) state whether it is opposed or unopposed; (b) identify the dates that all of the parties are available for a remote hearing during the identified days; and (c) identify the number of days that the parties anticipate the remote hearing will take.

C. Remote Participation and Exhibits

9. The Commission employs Zoom <https://zoom.us/> for the participation of parties, witnesses, attorneys, and Commission staff in remote hearings. Attachment A to this Decision provides instructions for how to use the Zoom platform to remotely participate in the remote hearing.

10. Given that the hearing will be a remote hearing in which the parties, witnesses, and attorneys will participate remotely, exhibits must be presented electronically. The Public Utilities Commission utilizes Box.com to manage exhibits in remote hearings. Attachment B provides detailed instructions for the marking, formatting, and electronic presentation of exhibits at the hearing through Box.com.

11. Each party will receive an email containing an invitation to sign up for a free Box.com account. Once signed-up, each party will be invited to share a folder with (only) the staff in the Administrative Hearings Section, Commission advisors, and potentially Commissioners and Commission counsel. The party may share access to its Box.com account with others as they choose.

12. It is extremely important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

13. The Commission will hold an informal practice video-conference session if requested by any party to give an opportunity to practice using Zoom before the remote hearing. The parties may contact a Commission Legal Assistant by email at casey.federico@state.co.us and stephanie.kunkel@state.co.us, to schedule an informal practice video-conference session. If an informal practice session is requested, the parties will receive an email with information and a link to participate in the informal practice session.

II. ORDER

A. It Is Ordered That:

1. A remote hearing is scheduled as follows:

DATE: October 31, 2024

TIME: 9:00 a.m. to 5:00 p.m.

WEBCAST: Commission Hearing Room

METHOD: Join by video conference using Zoom at the link to be provided in an email from the Administrative Law Judge OR Commission Staff¹

2. Nobody should attend the hearing in person.

3. The deadline to file any Motion to Reschedule Hearing is **September 9, 2024**.

¹ Additional information about the Zoom platform and how to use the platform are available at: <https://zoom.us/>. All are strongly encouraged to participate in a test meeting prior to the scheduled hearing. See <https://zoom.us/test>.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director