

Decision No. C25-0317

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25V-0115EC

IN THE MATTER OF THE PETITION OF SHANAZ LIMO FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

**COMMISSION DECISION DENYING PETITION FOR
RULE WAIVER**

Issued Date: April 23, 2025

Adopted Date: April 16, 2025

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a Petition for Waiver/Variance of Regulated Intrastate Carrier Rules filed on March 19, 2025, by Shanaz Limo ("Petitioner").

2. Petitioner requests a waiver of Rule 6305 of the Commission's Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* ("CCR") 723-6. This rule provides, in relevant part, the criteria for luxury limousine vehicles, including categories of vehicles that can be classified as a luxury limousine. Rule 6305(b), 4 CCR 723-6, provides, "A Person who believes that the Motor Vehicle that they have purchased or plan to purchase provides a luxurious and specialized transportation service may file a petition for waiver of paragraphs (a) or (c) of this rule, as set forth in rule 6003, explaining why the use of their vehicle of choice will effectively implement the Commission's policies of a luxury transportation

experience in the relevant market to be served." This rule allows for the Commission to exercise discretion regarding a particular vehicle's fitness to be operated as a luxury limousine.

3. Petitioner requests a waiver for a 2011 Toyota Sienna, VIN No. 5TDZK3DC8BS045193. Petitioner requests a waiver for the period of March 19, 2025, through March 19, 2027.

4. The Commission noticed this petition to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 31, 2025. No petition to intervene or otherwise participate in this Proceeding has been filed. This Proceeding is therefore uncontested. Pursuant to § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

5. In accordance with Rule 1003 of the Commission's Rules of Practice and Procedure, 4 CCR 723-1, the Commission may grant a request to waive Commission rules for good cause shown. In rendering its decision, the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

6. In support of its request for rule waiver, Petitioner states:

My Chevy SuBurBan was getting More Mileage and Running not like use
To Be So I got 2011 Toyota Sienna Looks perfect shape and It has 7 Seat
and 6 cylinder. [sic]

7. For the underlying vehicle, Petitioner submitted two photos of the exterior. Petitioner did not submit any other information or documentation into the record. Petitioner did not elect to provide any photos of the interior, which could potentially show the vehicle in a good and clean condition or demonstrate any features Petitioner may have felt qualified this vehicle as a luxury limousine. Likewise, Petitioner did not submit any inspections or additional maintenance-related information that could be helpful in determining the reliability or mechanical

status of the vehicle. Petitioner also failed to provide further explanation as to why the underlying vehicle provides a luxurious and specialized transportation service, consistent with the Commission's policies of a luxury transportation experience and befitting of the relevant market to be served, as specified in Rule 6305(b), 4 CCR 723-6.

8. Given all available information, there is insufficient support to grant the requested waiver. Therefore, the Commission finds that good cause has not been shown by Petitioner and the request for a waiver of Rule 6305(a), 4 CCR 723-6, is denied for the 2011 Toyota Sienna named in its petition.

II. ORDER

A. The Commission Orders That:

1. The petition of Shanaz Limo for a waiver of Rule 6305 of the Commission's Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* ("CCR") 723-6, filed on March 19, 2025, is denied.

2. 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 this Decision.

3. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 16, 2025.**

(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

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MEGAN M. GILMAN

TOM PLANT

Commissioners