

Decision No. R25-0035-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0387CP

IN THE MATTER OF THE APPLICATION OF CHARIOT TRANSPORTATION CO. FOR PERMANENT AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55977.

**INTERIM DECISION
DISMISSING INTERVENTION AND PROVIDING
INSTRUCTIONS REGARDING REMOTE PARTICIPATION
IN, AND PRESENTATION OF ELECTRONIC EXHIBITS
AT, REMOTE HEARING**

Issued Date: January 17, 2025

I. STATEMENT

A. Background

1. On September 13, 2024, Chariot Transportation Co. (“Chariot Transportation”) filed the application described in the caption above (“Application”).

2. On September 16, 2024, the Commission issued public notice of the authority sought by Chariot Transportation 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 Montrose, and between said points, on the one hand, and all points in the Counties of Delta, La Plata, Mesa, Ouray, and San Miguel, on the other hand.

3. On October 8, 2024, Tazco, Inc., doing business as Sunshine Taxi, (“Sunshine Taxi”) filed a Notice of Intervention by Right, Alternative Motion for Intervention, Entry of Appearance, and Request for Hearing.

4. On October 16, 2024: (a) Wilson Peak Limo LLC, doing business as Mountain Limo (“Mountain Limo”), filed a Notice of Intervention by Right, or Alternatively, Motion to Permissively Intervene, and Request for Hearing; and (b) Western Slope Rides LLC (“Western Slope Rides”) filed a Notice of Intervention by Right, Entry of Appearance, and Request for Hearing. Sunshine Taxi, Mountain Limo, and Western Slope Rides are hereinafter referred to collectively as “Intervenors.”

5. On October 17, 2024, Western Slope Rides filed an Amended Notice of Intervention by Right, Entry of Appearance, and Request for Hearing.

6. On October 23, 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.

7. On November 19, 2024, the ALJ issued Decision No. R24-0842-I that established a deadline of December 12, 2024 for: (a) Western Slope Rides to either have legal counsel file an entry of appearance on its behalf or establish that Rule 1201 of the Commission’s Rules of Civil Procedure¹ does not require it to be represented by an attorney in this proceeding; (b) for any party to file a Statement Regarding Hearing specifying the type of hearing (in-person, remote, or hybrid) it prefers, the location of the hearing, and an explanation of why the hearing should not take place in one of the Commission’s hearing rooms in Denver if an alternate location is preferred; and (c) set a procedural schedule requiring: (i) Chariot Transportation to file and serve witness and exhibits lists by January 10, 2025; and (ii) each intervenor to do the same by January 31, 2025.

¹ 4 *Code of Colorado Regulations* (CCR) 723-1.

8. On December 10, 2024, Western Slope Rides filed a document “request[ing] exemption of legal representation during hearings held to discuss the application in question.”

9. On December 12, 2024, Mountain Limo filed a Statement Regarding Hearing stating that it prefers a remote hearing “in the interest of administrative economy and avoiding undue travel time and expense.”

10. On December 24, 2024, the ALJ issued Decision No. R24-0942-I, which (a) held that Western Slope Rides’ December 10, 2024 filing did not comply with the directive in Decision No. R24-0842-I to either obtain counsel or establish that Rule 1201 does not require it to be represented in this proceeding by an attorney currently in good standing before the Supreme Court of the State of Colorado; (b) extended the deadline for Western Slope Rides to comply with the directive; and (c) scheduled the remote hearing in this proceeding for February 28, 2025.

B. Representation

11. Despite the ALJ providing two opportunities do so, Western Slope Rides has not either obtained counsel or established that Rule 1201 does not require it to be represented in this proceeding by an attorney currently in good standing before the Supreme Court of the State of Colorado. Western Slope Rides’ December 10, 2024 response to Decision No. R24-0842-I did not comply with this directive and Western Slope Rides did not respond to the second opportunity provided in Decision No. R24-0942-I. Both decisions warned that failure to comply with the directive may result in dismissal of the intervention of Western Slope Rides.

12. Accordingly, based on the foregoing, the ALJ will dismiss the intervention of Western Slope Rides.

C. Remote Participation and Exhibits

13. 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.

14. 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.

15. 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.

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

17. 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.

D. Additional Advisements

18. The Parties are advised and are on notice that this proceeding is governed by the Rules of Practice and Procedure found at 4 CCR 723-1. The ALJ expects the Parties to be familiar with and to comply with these rules. The rules are available on the Commission's website (<https://puc.colorado.gov/pucrules>) and in hard copy from the Commission.

II. ORDER

A. It Is Ordered That:

1. The intervention of Western Slope Rides LLC filed on October 16, 2024 and amended on October 17, 2024 is dismissed.
2. 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