

Decision No. R25-0175-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0446CP-EXT

IN THE MATTER OF THE APPLICATION OF TAVA CAB LLC DOING BUSINESS AS TAVA CAB, TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55994.

**INTERIM DECISION
VACATING EVIDENTIARY HEARING**

Issued Date: March 11, 2025

I. STATEMENT

1. On October 16, 2024, Tava Cab LLC doing business as Tava Cab (“Tava Cab”) initiated the captioned proceeding by filing an application through its counsel seeking a Certificate of Public Necessity and Convenience to Operate as a Common Carrier by Motor Vehicle for Hire (“Application”) with the Colorado Public Utilities Commission (“Commission”).

2. On October 28, 2024, the Commission provided public notice of the application by publishing a summary of the same in its Notice of Applications Filed:

Currently, CPCN No. 55994 authorizes the following:

Transportation of passengers in call-and-demand taxi service:

between all points in Teller County, and between said points on the one hand, and all points in the Counties of Denver, Douglas, El Paso, Fremont, Park, and Pueblo, on the other hand.

Restriction:

This certificate is restricted against providing any taxi service that originates in El Paso County

If the extension is granted, CPCN No. 55994 will read:

1. Transportation of passengers in call-and-demand taxi service between all points in Teller County, and between said points on the one hand, and all points in the Counties of Denver, Douglas, El Paso, Fremont, Park, and Pueblo, on the other hand.

Restriction:

This portion of said certificate is restricted against providing any taxi service that originates in El Paso County.

2. Transportation of passengers in call-and-demand taxi service from Colorado Springs Peterson Field Airport, also known as City of Colorado Springs Municipal Airport, 7770 Milton E. Proby Pkwy, Colorado Springs, El Paso County, CO 80916, on the one hand, to all points in Teller County, Colorado, on the other hand.

3. Transportation of passengers in call-and-demand taxi service from the communities of Cascade, Chipita Park, and Green Mountain Falls, including all points within one mile of the town limits of Cascade, Chipita Park, and Green Mountain Falls, all located in El Paso County, Colorado, on the one hand, to all points in Teller County, Colorado, on the other hand.

4. Transportation of passengers in call-and-demand shuttle service between Colorado Springs Peterson Field Airport, also known as City of Colorado Springs Municipal Airport, 7770 Milton E. Proby Pkwy, Colorado Springs, El Paso County, CO 80916, on the one hand, and the communities of Cascade, Chipita Park, and Green Mountain Falls, including all points within one mile of the town limits of Cascade, Chipita Park, and Green Mountain Falls, all located in El Paso County, Colorado, on the other hand.

3. On November 27, 2024, Pikes Peak Cab LLC doing business as Pikes Peak Transport (“Pikes Peak”) filed its Petition for Intervention through Marcos Griego and Tamara Zvonkovich, the owners of Pikes Peak. This filing attached Commission Authority No. 55884 held by Pikes Peak.

4. On December 11, 2024, the Commission deemed the application complete and referred it by minute entry to the undersigned Administrative Law Judge (“ALJ”) for disposition.

5. On December 24, 2024, by Decision No. R24-0943-I, a prehearing conference was scheduled for January 21, 2025.

6. On January 6, 2025, Pikes Peak filed its Request to Dismiss Application (“Motion to Dismiss”).

7. On January 21, 2025, Tava Cab filed its Motion to Strike Request to Dismiss Filed by Pikes Peak Cab LLC d/b/a Pikes Peak Transport and Alternate Response in Opposition Thereto and Motion for Attorney Fees.

8. On January 27, 2025, by Decision No. R25-0061-I the Motion to Dismiss was denied, the Motion for Attorney fees was denied and a procedural schedule was adopted. The procedural schedule required the Applicant to file its witness list and exhibits by February 21, 2025, Intervenor to file witness list and exhibits by March 7, 2025, and an evidentiary hearing on March 18, 2025.

9. On February 21, 2025, the Applicant filed its Motion for Extension of Time to file Witness List and Exhibits (“Motion for an Extension”).

10. On February 25, 2025, by Decision No. R25-0135-I, the Motion for an Extension was granted.

11. On March 3, 2025, Pikes Peak filed its Request for Dismissal (“Second Motion to Dismiss”).

II. SECOND MOTION TO DISMISS

12. In the Second Motion to Dismiss, Pikes Peak states that the Applicant has not provided requested discovery. Pikes Peak did not request that response time to the Second Motion to Dismiss be shortened.

13. The response to the Second Motion to Dismiss is due on March 17, 2025. This is the day before the evidentiary hearing is scheduled to commence.

14. To give ample time to consider the Second Motion to Dismiss and any response, the ALJ shall *sua sponte* vacate the evidentiary hearing.

15. The evidentiary hearing shall be rescheduled contemporaneously, if necessary, with a ruling on the Second Motion to Dismiss¹.

III. ORDER

A. It Is Ordered That:

1. The evidentiary hearing scheduled for March 18, 2025, is vacated.
2. The Parties shall be held to the advisements in this Decision.

¹ A new procedural schedule may also be adopted.

3. This Decision is effective immediately.

(S E A L)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

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

Rebecca E. White,
Director