

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0513CP

IN THE MATTER OF THE APPLICATION OF QUICK CAR LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**RECOMMENDED DECISION
GRANTING MOTION TO AMEND APPLICATION,
ACKNOWLEDGING INTERVENTION WITHDRAWAL,
GRANTING PERMANENT AUTHORITY SUBJECT TO
CONDITIONS, AND CLOSING PROCEEDING**

Issued Date: April 9, 2025

I. STATEMENT, SUMMARY AND PROCEDURAL HISTORY

A. Summary

1. This decision grants the motion to amend the above-captioned Application; acknowledges Intervenors' withdrawal of their Intervention; and grants a permanent authority, subject to conditions.

B. Procedural History

2. On November 21, 2024, Quick Car LLC ("Quick Car" or "Applicant") filed an Application For A Certificate Of Public Convenience And Necessity ("CPCN") To Operate As A Common Carrier By Motor Vehicle For Hire. On November 25, 2024, Applicant filed revised answers to questions 9 and 10 on the application.¹ (The November 21, 2024 filing with the November 25, 2024 revisions shall hereinafter be referred to as the "Application.")

¹ Applicant revised its answer to question 9 by switching from "scheduled service" to "call-and-demand service." Applicant revised its answer to question 10 by listing counties only and removing town and ski resort names.

3. On December 2, 2024, the Public Utilities Commission (“the Commission”) provided public notice of the Application, per § 40-6-108(2), C.R.S., 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 Denver International Airport, on the one hand, and all points in the Counties of Eagle, Grand, Routt, and Summit, on the other hand.²

4. On December 24, 2024, Golden West Airport Shuttle filed a Notice of Intervention by Right and Alternative Petition for Intervention (“Golden West Intervention”), including a copy of its Letter of Authority. On December 30, 2024, through their counsel, Home James Transportation Services, LTD (“Home James”) and Alpine Taxi/Limo, Inc. (“Alpine”) filed a Notice of Intervention by Right, Alternative Motion for Intervention (“Home James/Alpine Intervention”), including copies of each entity’s Letter of Authority.

5. On January 8, 2025, the Commission deemed the Application complete and referred the proceeding by minute entry to an Administrative Law Judge (“ALJ”).

6. The ALJ acknowledged both Golden West’s Intervention and the Home James/Alpine Intervention in Decision No. R25-0031-I, issued January 15, 2025.

7. By Decision No. R25-0150-I, issued March 3, 2025, the ALJ struck Golden West’s Intervention.

8. On March 18, 2025, Home James/Alpine filed a Joint Motion for Approval of Restrictive Amendment and Conditional Withdrawal of Intervention on behalf of Home James/Alpine and Applicant (“Joint Motion to Amend”). In the Joint Motion to Amend, the parties sought to amend Quick Car’s requested authority in the Application. If the ALJ approved the requested amendments, Home James/Alpine would withdraw their intervention.

² Notice of Application at 3.

II. FINDINGS AND CONCLUSIONS

A. Request to Amend the Application

9. The Joint Motion to Amend seeks to amend the authority Quick Car seeks in the Application to eliminate Routt and Grand Counties from the proposed service territory. Specifically, the parties request the following authority (“Proposed Amendments”):

Transportation of passengers in call-and-demand shuttle service between Denver International Airport, on the one hand, and all points in the Counties of Eagle and Summit, on the other hand.³

10. As noted in the Joint Motion to Amend, if the Proposed Amendments are accepted, the Intervenors’ interests in the Application would be eliminated or resolved, and Intervenors would withdraw their Intervention.⁴

11. To be acceptable, changes to an application’s requested authority must be restrictive in nature, clear and understandable, and administratively enforceable. Both the authority and any restriction on that authority must be unambiguous and must be contained wholly within the authority. Both must be worded so that a person will know, from reading the authority and without having to resort to any other document, the exact extent of the authority and of each restriction. Clarity is essential because the scope of an authority must be found within the four corners of the permit, which is the touchstone by which one determines whether the operation of a carrier is within the scope of its Commission-granted authority.

12. Because the Proposed Amendments seek to narrow the scope of Quick Car’s proposed service territory, the ALJ finds that the Proposed Amendments are restrictive and clarify

³ The parties’ language in the Joint Motion to Amend read: “...transportation of passengers in call-and-demand shuttle service between Denver International Airport, on the one hand, and all points in the Counties of Eagle, (sic) and Summit, on the other hand.” The ALJ removed the comma after “Eagle” in the Proposed Amendments.

⁴ Joint Motion to Amend at 2.

the authority so that it is clear, understandable, and administratively enforceable. The ALJ will grant the Joint Motion to Amend.

13. Since the Proposed Amendments are accepted, consistent with the request in the Joint Motion to Amend, the ALJ acknowledges the Homes James/Alpine Intervention as withdrawn. As a result, Home James and Alpine are no longer parties to this proceeding, and the Application with the approved Proposed Amendments (“Amended Application”) is not contested.

B. Amended Application

14. Because the Amended Application is uncontested, verified, includes sufficient facts to decide the relief sought, is supported by the required documents and information, and a hearing is not required or requested, the ALJ will consider the Amended Application based on the record without a formal hearing.⁵

15. The Commission has authority to issue certificates to operate as a common carrier under Colo. Const. art. XXV, §§ 40-10.1-103(1), 201(1), and 203(1), C.R.S.⁶ For these reasons and based on the record, the ALJ concludes that the Commission has jurisdiction and authority over the Amended Application.

16. Applicants for a CPCN must establish their financial, managerial, and operational fitness to conduct the proposed operations; that there is a present or future public need for the proposed service; and that the proposed authority is in the public interest and should be granted.⁷

17. The record establishes that Quick Car is a limited liability company organized in Montana and in good standing.⁸ In its verified Application, Quick Car affirmed that is familiar

⁵ § 40-6-109(5), C.R.S., and Rule 1403, 4 *Colorado Code of Regulations* (“CCR”) 723-1.

⁶ See *Miller Brothers, Inc. v. Pub. Utils. Comm’n*, 525 P. 2d 443, 446 (Colo. 1974).

⁷ Rule 6203(a)(XI) and (XVII) of the Commission’s Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6. See § 40-10.1-201(1), C.R.S.

⁸ See Certificate of Good Standing dated November 14, 2024 (Application at 11).

with the Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6, and agrees to be bound by, and to comply with, those rules.⁹ Quick Car established in its Application that it has sufficient equipment with which to render the proposed service and is financially fit to conduct operations under the authority requested.¹⁰ The Applicant demonstrates in its Application that Quick Car's owner has experience in the transportation industry, which establishes that Quick Car is managerially fit to operate the requested authority.¹¹ Finally, a review of the Application indicates a need for the proposed service.¹²

18. Based on the foregoing and the record, the ALJ concludes that because Quick Car is fit, financially and otherwise, to perform the proposed service and because the other prerequisites have been met, the requested authority should be granted, subject to the below conditions.

19. In accordance with § 40-6-109, C.R.S., the ALJ now transmits to the Commission the record in this proceeding and recommends that the Commission enter the following order.

III. ORDER

A. The Commission Orders That:

1. The Joint Motion for Approval of Restrictive Amendment and Conditional Withdrawal of Intervention, filed March 18, 2025, is granted.

2. Quick Car LLC's ("Quick Car") Application filed on November 25, 2024 is amended as set forth in paragraph 9 above.

3. Consistent with the above discussion, Home James Transportation Services, LTD ("Home James") and Alpine Taxi/Limo, Inc.'s ("Alpine") Notice of Intervention By Right,

⁹ Application at 7.

¹⁰ *Id.* at 4-5.

¹¹ *Id.*

¹² *Id.* at 9-10.

Alternative Motion for Intervention, Entry of Appearance, and Request for Hearing, filed December 30, 2024, is withdrawn. Home James and Alpine are no longer parties to this proceeding.

4. Quick Car's Application, as amended by this Decision, is granted consistent with the discussion above. Subject to Quick Car's full compliance with the requirements contained in this Decision, Quick Car is granted a Certificate of Public Convenience and Necessity to Operate as a Common Carrier of Passengers by Motor Vehicle as follows:

Transportation of passengers in call-and-demand shuttle service between Denver International Airport, on the one hand, and all points in the Counties of Eagle and Summit, on the other hand.

5. The authority granted in Ordering Paragraph No. 4 is conditioned on Quick Car meeting the requirements contained in this Decision and is not effective until these requirements have been met.

6. Quick Car must operate in accordance with all applicable Colorado Laws and Commission rules.

7. Quick Car may not commence operation under the authority granted until it has complied with the requirements of Colorado law and Commission rules, including without limitation:

- (a) cause proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;
- (b) pay to the Commission, the motor vehicle fee (\$50.00) for each vehicle to be operated under authority granted by the Commission, or in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;
- (c) file with the Commission and have an effective, publicly available advice letter and tariff. The tariff should comply with Rules 6208 and 6209 of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* ("CCR") 723-6. The tariff shall be filed in a *new* Advice Letter/Tariff proceeding on not less than ten days' notice prior to a proposed effective date. In calculating the proposed effective date, the date received at the Commission is not included in the notice period and the entire notice period must expire prior to the proposed effective date;

- (d) submit a Vehicle Inspection Report for each vehicle to be operated under the authority at the commencement of operations. The inspection must be done in accordance with Rules 6103 and 6104 of the Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6; and the inspection must show that the vehicle passed the inspection. The inspection report may be found at: <https://puc.colorado.gov/common-carriers>;
- (e) register an authorized representative as a File Administrator on behalf of Applicant in the Commission's electronic filing system (E-Filings) and agree that Applicant shall receive notifications electronically through E-Filings. Information can be found at: www.dora.state.co.us/pls/efi/EFI.homepage; and
- (f) pay the applicable fee for the issuance of the authority.

8. If Quick Car does not cause proof of insurance or surety bond to be filed, pay the appropriate motor vehicle fees, file an advice letter and proposed tariff, submit a Vehicle Inspection Report, register as a Filer Administrator in the E-Filings System and pay the issuance fee *within 60 days* of the effective date of this Decision, then the grant of the authority will be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within 60 days of the effective date of this Decision.

9. The Commission will notify Quick Car in writing when the Commission's records demonstrate compliance with ordering paragraph 8 above.

10. The April 24, 2025 hearing and all related deadlines are vacated.

11. Proceeding No. 24A-0513CP is closed.

12. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

13. As provided by § 40-6-109, C.R.S., copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.

- a. If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the decision is stayed by the Commission upon its own motion, the recommended decision shall become the decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.
- b. If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in § 40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

14. If exceptions to this Recommended Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

KELLY A. ROSENBERG

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E White,
Director