

Decision No. R25-0328

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0541CP

IN THE MATTER OF THE APPLICATION OF CAMERON JAMES BROWN DOING BUSINESS AS CAMERON JAMES FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE PERMANENT AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55977.

**RECOMMENDED DECISION GRANTING MOTION TO
WITHDRAW WITHOUT PREJUDICE AND CLOSING
PROCEEDING**

Issued Date: April 28, 2025

I. STATEMENT, SUMMARY, AND PROCEDURAL HISTORY

1. On December 13, 2024, Cameron James Brown doing business as Cameron James (“Cameron James” or “Applicant”) filed the application described in the caption above. Cameron James filed an amendment to question 10 on the application on December 23, 2024. The initial application with the December 23, 2024 amendment is known as the “Application.”

2. On December 23, 2024, the Commission issued public notice of the authority sought by Cameron James 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 Denver International Airport, on the one hand, and all points in the Counties of Eagle and Pitkin, on the other hand.

3. On January 29, 2025, the Commission deemed the Application complete and referred the proceeding by minute entry to an administrative law judge (“ALJ”).

4. On February 11, 2025, the ALJ issued Decision No. R25-0096-I, which scheduled a remote evidentiary hearing for May 1, 2025 at 9:00 a.m.; established deadlines and procedures related to that hearing; acknowledged the intervention filed by Golden West Airport Shuttle, LLC doing business as Golden West Airport Shuttle (“Golden West”); and allowed Cameron James and Golden West to be represented by non-attorney owners in the proceeding.

5. On April 25, 2025, Cameron James made a filing stating that Applicant wishes to voluntarily withdraw its Application (“Motion to Withdraw” or “Motion”).

II. FINDINGS, ANALYSIS, AND CONCLUSIONS

6. Parties have 14 days within which to file a response to a motion, but the Commission may waive or shorten that time as it deems appropriate.¹

7. Rule 1309(d), 4 CCR 723-1, allows a party to withdraw an application upon notice to the Commission and all parties “prior to 45 days before the first day of the hearing.”² Thereafter, a party has to file a motion seeking leave to withdraw an application; in ruling on such a motion, the Commission must consider whether good cause exists to withdraw an application and whether other parties would be prejudiced by this.³

8. Since Golden West opposes the Application and requests that it be denied, the ALJ finds that it is unlikely Golden West objects to the Motion to Withdraw. Moreover, given the closely approaching hearing date, the ALJ finds it serves the parties’ interests to rule on it as soon as possible. For these reasons, the ALJ finds good cause to waive the response time to the Motion and does so.⁴

¹ Rule 1400(b) of the Commission’s Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (“CCR”) 723-1.

² Rule 1309(d), 4 CCR 723-1.

³ *Id.*

⁴ *See* Rule 1400(b), 4 CCR 723-1.

9. In the Motion, Cameron James states that it has carefully considered current market conditions and has determined that pursuing a different course of action better aligns with the Applicant's current objectives and circumstances.⁵

10. Since Applicant filed the Motion less than 45 days before the first day of the hearing, the ALJ treats the Motion as a motion to withdraw per Rule 1309(d), 4 CCR 723-1.

11. Neither Applicant nor Golden West filed witness or exhibits lists, or copies of their exhibits, so neither party expended resources to prepare for the hearing. Golden West opposes the Application and Applicant no longer wishes to pursue it. For these reasons, the ALJ finds good cause to grant the Motion to Withdraw, and that doing so does not prejudice any party.

12. For the reasons and authorities discussed, the ALJ grants the Motion to Withdraw without prejudice; and closes this proceeding.⁶

13. In accordance with § 40-6-109, C.R.S., the ALJ 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 response time to Cameron James Brown doing business as Cameron James's ("Cameron James") April 25, 2025 filing seeking to withdraw the above-captioned Application ("Motion to Withdraw") is waived, as discussed.

2. Consistent with the above discussion, the Motion to Withdraw is granted. The Application for a Certificate of Public Convenience and Necessity to Operate as a Common

⁵ Motion at 1.

⁶ Granting the Motion to Withdraw without prejudice means that Applicant can re-file its application should it wish to.

Carrier by Motor Vehicle for Hire as filed on December 23, 2024 (“Application”) is deemed withdrawn.

3. The May 1, 2025 evidentiary hearing and all related deadlines in this Proceeding are vacated.

4. Proceeding No. 24A-0541CP is closed.

5. The 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.

6. As provided by § 40-6-106, 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 recommended 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 a basic finding 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.

7. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded. Responses to exceptions are due within seven days of the date exceptions are served.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

KELLY A. ROSENBERG

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director