

Decision No. C03-0223

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 01A-466CP-TRANSFER

IN THE MATTER OF THE APPLICATION OF SHAMROCK TAXI OF FT. COLLINS, INC.,
DOING BUSINESS AS SHAMROCK SHUTTLE FOR AN EXTENSION OF CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 49759.

**DECISION CONSTRUING LETTER AS REQUEST TO
AMEND DECISION NO. R01-1329 PURSUANT TO § 40-6-
112, C.R.S., AND GRANTING REQUEST**

Mailed Date: March 4, 2003
Adopted Date: February 26, 2003

I. BY THE COMMISSION:

A. Statement

1. This matter comes before the Commission for consideration of the request to reinstate Docket No. 01A-466CP and for an extension of time to comply with the requirements of Decision No. R01-1329, filed by Shamrock Taxi, of Ft. Collins, Inc., dba Shamrock Shuttle, Inc. (Shamrock Shuttle), on February 4, 2003.

2. Shamrock Shuttle was granted approval by Decision No. R01-1329, dated December 28, 2001, to extend Certificate of Public Convenience and Necessity (CPCN) PUC No. 49759 as follows: Transportation of passengers and their baggage: (1) In scheduled service between all points within a 13-mile radius of the intersection of Larimer County Road 32 and Larimer County Road 13, in Larimer County, Colorado, and between all points within Longmont, Colorado, and all points within one half mile of the intersection of Interstate 25 and Colorado Highway 119, on the one hand, and Denver International Airport, on the other hand; and (2) in call-and-demand limousine service between all points within a 13-mile radius of the

intersection of Larimer County Road 32 and Larimer County Road 13 in Larimer County, Colorado.

3. Shamrock Shuttle was also granted temporary authority in Docket 01A-466CP-Extension on November 1, 2001, by Decision No. C01-1127.

4. Decision No. R01-1329 ordered Shamrock Shuttle to meet certain requirements to complete the transfer. Two of these requirements were to file a tariff and pay the \$5.00 issuance fee.

5. Decision No. R01-1329 was issued on December 28, 2001. Shamrock Shuttle had 60 days from the effective date of the Order, or until March 18, 2002, to comply with the requirements of Decision No. R01-1329.

6. Shamrock Shuttle did not file the tariff or pay the issuance fee by March 18, 2002, as required by Decision No. R01-1329.

7. Shamrock Shuttle filed a letter on February 4, 2003, requesting to reopen Docket No. 01A-466CP and for additional time to meet the filing requirements of Decision No. R01-1329.

8. Section § 40-6-112, C.R.S., allows the Commission to “rescind, alter, or amend any decision made by it, upon its own motion.” We will construe Shamrock Shuttle’s February 4, 2003 letter as a request to amend the time limits for complying with Decision No. R01-1329.

9. In the letter, Thomas Hofmann, President of Shamrock Taxi, states “Shamrock Shuttle requests that Docket No. 01A-466CP-EXT, Decision No. R01-1329, mail date December 28, 2001, be reopened. At that time we were operating out of two separate locations, and office

personnel, including myself, were splitting time at each facility. After filing all of the necessary tariffs and schedules for the Temporary Authority, the same information was not filed because of a breakdown in communication between myself and my staff. Shamrock respectfully requests an extension in time to be able to meet the necessary filing requirements.”

10. The Commission finds that good cause exists to extend the time to comply with Decision No. R01-1329 for an additional 10 days from the effective date of this Order.

11. However, we admonish Shamrock to expend more effort to ensure that it is in compliance with Commission rules and regulations. Given the simplicity of our processes related to this issue, we note that Shamrock has been remiss in its responsibilities to the Commission. However, in order to maintain the public convenience and necessity of Shamrock’s customers in its service, we determine that it is in the public’s best interest to amend Decision No. R01-1089 pursuant to § 40-6-112, C.R.S.

II. ORDER

A. The Commission Orders That:

1. The request for an extension of time to comply with Decision No. R01-1329 is construed as a request to amend Decision No. R01-1098 pursuant to § 40-6-112, C.R.S., and is granted. Shamrock Taxi, of Ft. Collins, Inc., dba Shamrock Shuttle, Inc., is granted an additional 10 days from the effective date of this Order to comply with the requirements of Decision No. R01-1329.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 26, 2003.**

(SEAL)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners