

[Decision No. C03-0470](#)

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

[DOCKET NO. 03A-152CP-TA](#)

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THE APPLICATION OF RIDE PROVIDE, INC. FOR TEMPORARY AUTHORITY TO  
CONDUCT OPERATIONS AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

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**COMMISSION ORDER GRANTING  
TEMPORARY AUTHORITY**

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Mailed Date: [May 7, 2003](#)

Adopted Date: May 2, 2003

**I. BY THE COMMISSION:**

**A. Statement**

1. On April 11, 2003, Ride Provide, Inc. (Ride Provide), filed an application for temporary authority to conduct operations as a common carrier by motor vehicle for hire for the transportation of passengers and their baggage, in scheduled service: (1) between the Olde Town Arvada Park-n-Ride, Arvada, Colorado, on the one hand, and Denver International Airport, Denver, Colorado, on the other hand; and (2) between all points within the boundaries of the Arvada Urban Renewal Authority, Arvada, Colorado.

2. The Commission gave notice of the application on April 21, 2003.

3. Metro Taxi, Inc. filed an Intervention and Entry of Appearance By Right and Alternative Petition For Permissive Intervention in opposition to the grant of this application.

4. Pursuant to § 40-6-120(1), C.R.S., the Commission is authorized to grant temporary authority when "there appears to be an immediate and urgent need to any point or within a territory having no carrier service capable of meeting such need."

5. Ride Provide must meet a two-fold test: first, that there is an immediate and urgent need for the transportation services, and second, that there is no existing carrier capable of meeting the need. If Ride Provide fails to meet either test, the application must be denied.

**B. Findings of Fact**

6. Metro Taxi, Inc. has authority under Certificate of Public Convenience and Necessity (CPCN) PUC No. 1481 to provide taxi service between all points in the Counties of Adams, Arapahoe, Boulder, Denver, Douglas, and Jefferson, State of Colorado. The geographic area requested in this application is included within the geographic area named in Metro Taxi, Inc.'s CPCN PUC No. 1481. However, Ride Provide is requesting to provide scheduled service not taxi service. Therefore an overlap does not exist between the taxi service that Metro Taxi, Inc. is authorized to provide and the scheduled service requested by Ride Provide in this application

7. Nine letters were filed in support of this application. Clarence W. Marsella, the General Manager of the Regional Transportation District (RTD) states in his letter "This proposed new service will replace existing RTD service that currently operates between Arvada and DIA and that will be discontinued effective May 11, 2003. In addition to the permanent authority, we feel it is important that a temporary authority be granted so that scheduled service continues uninterrupted after RTD's discontinuation of SkyRide Route AS effective May 11,

2003. Not only do airline passengers rely on public transit between Arvada and DIA, but also a good number of DIA employees rely on the service to get to work each day.”

8. Support letters were also submitted by Ken Fellman the Mayor of Arvada; Sue Windels, a Colorado State Senator; and Bob Briggs, a Colorado State Representative. Mr. Fellman states “Ride Provide is a community-based non-profit organization created to fill an important need – the provision of reliable and affordable scheduled transport service between Arvada and Denver International Airport. RTD currently provides this service through Skyride Route AS but has been forced to terminate it (to Arvada) because of the District’s difficult financial situation. Ride Provide will step in to continue to provide hourly scheduled service to the airport.” Mr. Fellman also states “The proposal makes possible an adjunct service that we have we have long wanted to try: a circulator to transport people between our new town development near I-70 and Wadsworth, and our historic Olde Town up on the bluff.”. Ms. Windels states “Ride Provide, Inc. proposes to operate small shuttle buses that will run hourly from Arvada directly to the airport. Our RTD service ends on May 11<sup>th</sup> and we would very much like to see our new A-Line shuttle in place, ready to begin operation with a seamless transition on May 12<sup>th</sup>. An especially creative part of our plan is to use these buses not only for airport runs, but also for our own version of the 16<sup>th</sup> street mall shuttle service, providing service between Olde Town Arvada and our recently developed New Town stores and restaurants.” In his letter, Mr. Briggs also expresses strong support for the grant of the scheduled service between Arvada and DIA named in this temporary authority application.

9. The authors of the other five letters also express strong support for the grant of the proposed scheduled service between Arvada and DIA requested in this temporary authority application.

10. The Commission finds that the support submitted with this application warrants the grant of the requested authority.

**C. Conclusions**

11. An immediate and urgent need for the requested transportation services has been shown to exist, and it has not been shown that there are any other carriers capable of providing the service.

12. Ride Provide has adequate equipment and financial resources to begin immediate service within the scope of the authority sought.

13. This application for temporary authority is in the public interest.

14. Ride Provide is advised that the grant of a temporary authority creates no presumption that a permanent authority will be granted.

**II. ORDER**

**A. The Commission Orders That:**

1. The petition filed by Metro Taxi, Inc., to intervene by right or, alternatively, by permission is denied.

2. Ride Provide, Inc. is granted temporary authority in part to conduct operations as a common carrier by motor vehicle for hire for a period of 180 days commencing from the Mailed Date of this Order, with authority as set forth in the Appendix.

3. Ride Provide, Inc. shall operate in accordance with all applicable Commission rules and regulations.

4. Ride Provide, Inc. shall not commence operations until it has filed with the Commission certificates of insurance as required by Commission rules. Ride Provide, Inc. shall file a proper tariff and pay the appropriate annual vehicle identification fee. Ride Provide, Inc. may not begin operations until these requirements have been met and notice in writing has been received from the Commission stating it is in compliance and may begin service.

5. If Ride Provide, Inc. does not comply with the requirements of this Order within 30 days of its effective date, then the temporary authority shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 30 days.

6. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this Order.

7. This Order is effective immediately on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING May 2, 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

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Transportation of passengers and their baggage in scheduled service: (1) between the Olde Town Arvada Park-n-Ride, Arvada, Colorado, on the one hand, and Denver International Airport, Denver, Colorado, on the other hand; and (2) between all points within the boundaries of the Arvada Urban Renewal Authority, Arvada, Colorado.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

**CERTIFICATE OF SERVICE**

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I, Bruce N. Smith, Director of the Public Utilities Commission of the State of Colorado, certify that I served a true and correct copy of the above Commission Decision -- entered in the above numbered matter of record -- upon each of the persons whose names and addresses appear below, by mailing the same in sealed envelopes properly addressed, with sufficient postage prepaid to carry the same to its destination to the following:

APPLICANT:

Ride Provide, Inc.  
5708 Zephyr Street  
Arvada, CO 80002

INTERVENOR:

Metro Taxi, Inc.  
5909 East 38<sup>th</sup> Avenue  
Denver, CO 80207

INTERVENOR'S ATTORNEY:

Charles M. Williams  
CHARLES M. WILLIAMS, P. C.  
303 East 17<sup>th</sup> Avenue, Suite 888  
Denver, CO 80203

ROUTE:

6, 60, and all PUC staff, including staff that may be listed as parties, received this decision electronically.

SEAL



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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BRUCE N. SMITH  
Director