

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-344CP-TA

THE APPLICATION OF BARRY BAILEY & CRAIG DALE, DOING BUSINESS AS VALLEY TAXI, FOR TEMPORARY AUTHORITY TO CONDUCT OPERATIONS AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed Date: August 22, 2003
Adopted Date: August 20, 2003

I. BY THE COMMISSION:

A. Statement

1. On August 6, 2003, Barry Bailey & Craig Dale, doing business as Valley Taxi (Valley Taxi), filed an application for temporary authority to conduct operations as a common carrier by motor vehicle for hire as follows: Transportation of passengers and their baggage, in taxi service, between all points in Chaffee County, State of Colorado, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.
2. The Commission gave notice of the application on August 11, 2003.
3. There are no interventions opposing a grant of the 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. Valley Taxi 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 Valley Taxi fails to meet either test, the application must be denied.

B. Findings of Fact

6. Five letters, each in the form of a petition, and six other letters were filed in support of this application. The letters were submitted by residents of Salida, Colorado, and Poncha Springs, Colorado. Salida and Poncha Springs are located in Chaffee County. The authors of the letters express a significant need for taxi service between points in Chaffee County. Specific quotes from the letters that indicate immediate need exists for the requested transportation service include: “I think this service will be very useful to the community, there is no such service.” “Chaffee County is badly in need of public transportation. I’ve lived here seven years and there has never been an option for transportation other than your own car.” “I very much would like the service of a ride home. I have no one who can come and give me a ride home.” “I live in Salida, Colorado, and have been employed in the restaurant business for a number of years. Our community has no public transportation. This impacts us tremendously. First intoxicated people will drive creating a danger to all. Second, our elderly population has no access to transportation.”

C. Conclusions

7. An immediate and urgent need for the requested transportation services has been shown to exist, and no other carrier has been shown to be capable of providing the service.

8. Barry Bailey & Craig Dale, doing business as Valley Taxi, has adequate equipment and financial resources to begin immediate service within the scope of the authority sought.

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

10. Barry Bailey & Craig Dale, doing business as Valley Taxi 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. Barry Bailey & Craig Dale, doing business as Valley Taxi, is granted temporary authority 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.

2. Barry Bailey & Craig Dale, doing business as Valley Taxi, shall operate in accordance with all applicable Commission rules and regulations.

3. Barry Bailey & Craig Dale, doing business as Valley Taxi, shall not begin operations until it has filed with the Commission certificates of insurance as required by Commission rules. Barry Bailey & Craig Dale, doing business as Valley Taxi shall file the proper tariff and pay the appropriate vehicle identification fee. Barry Bailey & Craig Dale, doing business as Valley Taxi may not begin service until it has met these requirements and notice in writing has been received from the Commission stating that it is in compliance and may begin service.

4. If Barry Bailey & Craig Dale, doing business as Valley Taxi, 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.

5. 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.

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

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
August 20, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners

Transportation of passengers and their baggage in taxi service, between all points in Chaffee County, State of Colorado, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.