

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

DOCKET NO. 02A-554CP

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IN THE MATTER OF THE APPLICATION OF IDA R. GARCIA, DOING BUSINESS AS  
SPECIALTY TRANSPORT FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY AUTHORIZING AN EXTENSION OF OPERATIONS UNDER PUC NO. 54391.

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**RECOMMENDED DECISION OF  
ADMINISTRATIVE LAW JUDGE  
WILLIAM J. FRITZEL  
DISMISSING APPLICATION**

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Mailed Date: January 7, 2003

Appearances:

Charles M. Williams, Esq., Denver, Colorado, for Metro Taxi, Inc.

**I. STATEMENT, FINDINGS, AND CONCLUSIONS**

1. On October 16, 2002, Applicant, Ida R. Garcia, doing business as Specialty Transport filed an application for a certificate of public convenience and necessity authorizing an extension of operations under PUC No. 54391.

2. On October 21, 2002, the Commission issued notice of the application as follows:

For a certificate of public convenience and necessity authorizing an extension of operations under PUC No. 54391 to include the transportation of

passengers and their baggage, in call-and-demand limousine service,

between all points in the Counties of Adams and Arapahoe, State of Colorado.

RESTRICTIONS: This application is restricted as follows:

- (A) To providing service for the following customers: (1) Children's Hospital, 1056 E. 19th Avenue, Denver, Colorado 80218; (2) University Hospital, 4200 E. 9th Avenue, Denver, Colorado 80262; and (3) Mental Health Corporation of Denver, 4141 E. Dickenson Place, Denver, Colorado 80222;

- (B) To providing service to children 17 years of age or younger who are being transported to and from daytime psychological services; and
- (C) To providing service in vehicles with a seating capacity of 15 passengers, or less, including the driver.
- 3. On November 12, 2002, Metro Taxi, Inc., intervened in the application.
- 4. On December 30, 2002, the hearing was called as scheduled. Metro Taxi, Inc., and its attorney, appeared ready for hearing. Specialty Transport did not appear.
- 5. Metro Taxi, Inc., moved to dismiss the application for the reason that Applicant failed to appear to prosecute its case. The motion was orally granted.
- 6. Pursuant to § 40-6-109, C.R.S., it is recommended the Commission enter the following order.

## **II. ORDER**

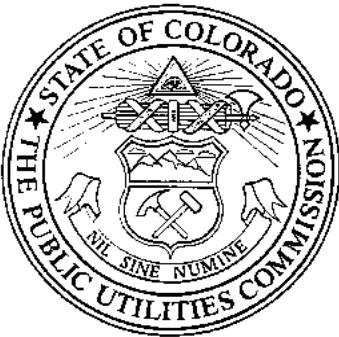
### **A. The Commission Orders That:**

- 1. Docket No. 02A-554CP, the application of Ida R. Garcia, doing business as Specialty Transport is dismissed without prejudice.
- 2. 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.
- 3. 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.

4. 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.

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

WILLIAM J. FRITZEL

Administrative Law Judge

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