

Decision No. R03-0133

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02A-603BP

IN THE MATTER OF THE APPLICATION OF G&B HOMECARE SERVICES, INC.,
6825 E. TENNESSEE AVENUE, SUITE 601, DENVER, COLORADO 80224, FOR AN
EXTENSION OF AUTHORITY UNDER CONTRACT CARRIER PERMIT NO. B-9829.

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

Mailed Date: February 4, 2003

I. STATEMENT

1. On November 13, 2002, G&B Homecare Services, Inc. (Applicant), filed an Application for an Extension of Contract Carrier Permit No. B-9829.
2. On November 18, 2002, the Commission issued notice of the application.
3. Metro Taxi, Inc., intervened in this case.
4. The hearing was scheduled on the application for January 27, 2003.
5. On January 21, 2003, Applicant filed a letter with the Commission requesting to withdraw its application.
6. Pursuant to § 40-6-109(2), C.R.S., it is recommended the Commission enter the following order.

II. ORDER**A. The Commission Orders That:**

1. The motion of G&B Homecare Services, Inc., to withdraw its application is granted.
2. The application of G&B Homecare Services, Inc., Docket No. 02A-603BP is dismissed.
3. The hearing scheduled for January 27, 2003 is vacated.
4. 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.
5. 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.

6. 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