

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-007CP

IN THE MATTER OF THE APPLICATION OF CARROLL GENE EADY, DOING BUSINESS AS CHECKER TAXI, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
GRANTING MOTION TO AMEND,
ACCEPTING STIPULATION, AND
AMENDING APPLICATION**

Mailed Date: March 8, 2004

I. STATEMENT

1. On January 5, 2004, Carroll Gene Eady, doing business as Checker Taxi (Applicant), filed an Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire (Application). The Application commenced this docket.

2. On January 12, 2004, the Commission gave public notice of the Application in the Notice of Applications Filed. *See* Notice of Applications Filed, dated January 12, 2004, at 2.

3. On January 27, 2004, Tazco, Inc., doing business as Sunshine Taxi (Tazco), timely filed an intervention by right. On February 2, 2004, Agnes Weir, doing business as Care Cars (Weir), timely filed an intervention by right.

4. On February 20, 2004, Applicant and Weir filed their Stipulation, Motion to Amend and Conditional Withdrawal of Intervention. In this one-page filing Applicant moves to

amend the Application to read: Restricted “against transportation of passengers for the purpose of medical care, treatment or therapy, where the carrier’s driver accompanies or aids passengers to or from locations inside medical facilities or residences.” Intervenor states that, if the Commission accepts the amendment, Intervenor will withdraw her intervention.

5. Intervenor Tazco did not file a response to the Stipulation, Motion to Amend and Conditional Withdrawal of Intervention.

6. The proposed amendment is restrictive in nature, is clear and understandable, and is administratively enforceable. The Motion to Amend states good grounds and is unopposed. Granting the Motion to Amend will not prejudice any party. The Motion to Amend will be granted. The amendment to the Application will be accepted.

7. Accepting the amendment has two impacts. First, the Application will be ordered amended to conform with the restrictive amendment. Second, the intervention of Weir will be ordered withdrawn; and Weir will no longer be a party in this proceeding.

II. ORDER

A. It Is Ordered That:

1. The Motion to Amend is granted.
2. The restrictive amendment to the Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire filed by Carroll Gene Eady, doing business as Checker Taxi, is accepted.
3. The Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire filed by Carroll Gene Eady, doing business as

Checker Taxi, is amended as follows: Restricted against transportation of passengers for the purpose of medical care, treatment or therapy, where the carrier's driver accompanies or aids passengers to or from locations inside medical facilities or residences.

4. The intervention filed by Agnes Weir, doing business as Care Cars, is withdrawn.
5. Agnes Weir, doing business as Care Cars, is no longer a party in this proceeding.
6. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge