

REC
STATE OF COLORADO
PUBLIC UTILITIES COMM.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

2004 JUL 26 PM12: 12

**IN THE MATTER OF APPLICATION OF
LANA ADULT DAY CARE INC.,
1030 SOUTH PEORIA STREET, AURORA,
CO 80012, FOR A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS A COMMON CARRIER
OF PASSENGERS FOR HIRE.**

DOCKET NO. 04A-273CP

**LANA ADULT DAY CARE MOTION TO ESTABLISH A GOOD CAUSE FOR
ITS FAILURE TO MEET THE WITNESS LIST AND COPIES OF EXHIBITS
FILING REQUIREMENTS.**

STATEMENT

1. LANA ADULT DAY CARE Inc. (father mentioned as LANA ADC) wishes to bring to your attention that on your Statement in paragraph 5 of your letter from July 20, 2004 is stated that that we were suppose to receive a procedural schedule accordingly to which we were suppose to follow the correct procedures in this matter. Unfortunately, due some sort of the oversight we never received this schedule. Because of this it took us time to find out what the correct course of action on our part suppose to be. We are submitting list of our witnesses with this letter.

2. Up until today we have been in touch with all intervening parties in order to explain to them the nature of the service that we provide to our clients and that if granted, our operations will not in any way will interfere with their operations. We have signed a restrictions with most of them and so far we did not had any response from Denver Taxi, Boulder Shuttle and Boulder Taxi in written, but through our telephone conversation today on July 24, 2004 with their law firm representative Mr. Richard L. Fanyo, we found out that on July 25, 2004 he will send us the same letter with restrictions to sign and afterwards their intervention will be withdrawn.

3. Again, we ask you for some leniency since we are a struggling new company and we work very hard to establish ourselves in providing an excellent care to our clients. We

also can not afford to hire a lawyer at this time which results in our mistakes during this application process.

4. In our additional attempt to explain why we need this application granted we showing you that our clients are elderly people that have problem to care for themselves. Still they need to go places, be involved into regular live activities. If we will be able to charge Medicaid (after we received license from PUS) for their trips from their homes and back, we will be able to afford our own vehicle to offer other activities for our clients for which Medicaid does not pay. Some of our potential clients from Boulder that need to go to Denver to our program because of their heritage (no Russian community in Boulder) will even not be paid by Medicaid at all for which we agreed and send the letter to the Single Entry Point in Boulder County called Adult Care Management. If we will not be able to transport them no one will. This will have dare consequences for those people.

We submit this letter as an exhibit A.

We also submit a letter from Dixie Gloystein, Community Provider Administrator for the Department of Health Polisy and Fynancing as an exhibit B.

We want to point you on the fact that some of our witnesses will be Russian speaking people and if you will not want to rely on our translation of their testimony, you will have to find a translator for them.

Following is our list of witnesses:

Dixie Gloystein
Community Provider Administraitor
Department of Policy and Financing
1570 Grant St.
Denver CO 80203
Tel: (303) 866-2993

Alan Wiky
Case Manager
Adult Care management
Boulder, CO
Tel: (303) 964-4224

Anatoliy Ravdel
Ninel Vishnitskaya
10001 E. Evans Ave
Aurora CO,
Tel: (303) 758-4623

Ruvel Shiuling
101 Adams St
Denver CO,
Tel: (303) 399-9625

Exhibit A.

Attachment 1
Docket No. 04A-273CP
Decision No. R04-0877-I
July 29, 2004
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From: LANA Adult Day Care,
1030 S. Peoria St.
Aurora, CO.
Tel: (303) 340-1400

To: J.C. Lodge, Director of
Adult Care Management;
Boulder, CO.

Mr. Lodge,

Thank you for your understanding and help in allowing HCBS-qualified Russian people from Boulder to participate in a program at LANA Adult Day Care in Denver. As per my conversation with Elina, the Russian community volunteer translator, I understand that there is a problem with paying Medicaid approved transportation charges when people are transported from one county to another county. I am writing this letter to confirm that LANA Adult Day Care will transport those people to the LANA ADC facility in Aurora free of transportation charge.

After visiting those people in Boulder I came to a conclusion that despite the help of the American government, those people are in a very poor condition physically as well as mentally. This situation has occurred due to the fact that those people are completely separated from the Russian community of Colorado which is mostly concentrated in a Denver metro area. Despite the situation sounding somewhat trivial, those people are in such mental state that most of them see only one perspective in their life – slowly dying. Mental illnesses are flourishing among them as well as physical illnesses due to the fact that those people can not even complain correctly about their problems to English speaking doctors.

In light of this situation, I have come to the conclusion that we at LANA ADC can help them and we must agree to your condition, though it will put a heavy burden on our operation as a business. We will have to buy a vehicle and hire a driver dedicated to transporting people from Boulder.

I understand that there are regulations that prohibit you from paying those transportation expenses and I hope that in the future we will find a way to resolve this situation favorably.

In light of cooperation between LANA ADC and various governmental social and health services, I would like to extend our invitation to you and your staff to visit us at our facility to get acquainted with our program and make sure that our participants at LANA ADC receive an excellent care.

Sincerely,

Svetlana Abramovich, Owner of LANA Adult Day Care.

Exhibit B

STATE OF COLORADO

DEPARTMENT OF HEALTH CARE POLICY & FINANCING

1570 Grant Street
Denver, Colorado 80203-1818
(303) 866-2993
(303) 866-4411 FAX
(303) 866-3883 TTY



Bill Owens
Governor

Karen Reinertson
Executive Director

May 4, 2004

Public Utilities Commission

To Whom It May Concern:

Igor Abramovich is the owner/operator of Lana Adult Day Care - a service that offers elderly, blind and disabled clients many health and social services on a daily basis.

He needs to be able to transport these clients to and from his Adult Day Center and to various activities on an occasional basis.

Please contact me at (303) 866-5908 or dixi.gloystein@state.co.us if you have any questions/concerns.

Sincerely,

Dixi Gloystein
Community Provider Administrator