

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0336BP-ETA

IN THE MATTER OF THE APPLICATION OF D.C. PRIVATE INVESTIGATIONS AND
SECURITY CONSULTANTS LLC FOR EMERGENCY TEMPORARY AUTHORITY TO
OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION GRANTING
EMERGENCY TEMPORARY AUTHORITY**

Mailed Date: June 26, 2019

Adopted Date: June 26, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On June 13, 2019, D.C. Private Investigations and Security Consultants LLC (Applicant) filed an application for emergency temporary authority to conduct operations as a contract carrier of passengers by motor vehicle for hire, pending Commission consideration of the related application for permanent authority. Applicant filed an amendment to the application on June 19, 2019.

2. Applicant requests emergency temporary authority for 25 days to operate as a contract carrier and provide transportation of prisoner passengers for the Colorado Department of Corrections (CDOC) between certain medical facilities, on the one hand, and CDOC facility locations, on the other hand.

3. Pursuant to § 40-10.1-204(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 such service capable of meeting the need.” Section 40-10.1-204(4),

C.R.S., further states: “If the commission determines that an emergency exists, it may issue temporary authority or approval at once by making specific reference in its order to the circumstances constituting the emergency, in which case no notice need be given, but any such emergency authority or approval expires no later than thirty days after it was issued.”

4. In support of the application, the requisite customer support letter from CDOC states, in relevant part:

The CDOC need for offender transportation and supervision exceeds current staffing and transport vehicle fleet. Priority for CDOC transport resources is given to offender relocation, court appearance and for high level security offender transport.

CDOC solicited the services of one or more contractor(s) to provide statewide medical supervision only or medical supervision and security transport of offenders during medical office visits, same-day outpatient procedures and/or supervision for round-the clock inpatient hospitalization. [Applicant] has been selected and their contract is to be effective July 1, 2019.

5. The Commission finds and concludes that the information submitted with this application shows that an emergency need for the requested transportation service exists, and that no other carrier has been shown to be capable of providing the service.

6. Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority sought.

7. This application for emergency temporary authority is in the public interest and will be granted.

8. Applicant is advised that the grant of an emergency temporary authority creates no presumption that either a temporary or permanent authority will be granted.

II. ORDER

A. The Commission Orders That:

1. The application filed on June 13, 2019 and amended on June 19, 2019, by D.C. Private Investigations and Security Consultants LLC, for emergency temporary authority to conduct operations as a contract carrier of passengers by motor vehicle for hire is granted.

2. D.C. Private Investigations and Security Consultants LLC is granted emergency temporary authority to conduct operations as a contract carrier as set forth in the Appendix attached to this Decision for a period of 25 days commencing from the date that D.C. Private Investigations and Security Consultants LLC is in full compliance with Ordering Paragraph No. 3.

3. D.C. Private Investigations and Security Consultants LLC shall not commence operations until it has complied with the requirements of Colorado laws and Commission rules, including without limitation:

- (a) causing proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;
- (b) paying to the Commission, the motor vehicle fee (\$50.00) for each vehicle to be operated under authority granted by the Commission, or in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;
- (c) having an effective tariff on file with the Commission. The tariff should comply with Rule 6208 of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6. The tariff shall be filed in a *new* Advice Letter/Tariff proceeding on not less than one day's notice prior to a proposed effective date. In calculating the proposed effective date, the date received at the Commission is not included in the notice period and the entire notice period must expire prior to the proposed effective date. Information can be found at:
<https://www.colorado.gov/pacific/dora/Trans-Tariffs>; and,
- (d) paying the applicable issuance fee (\$5.00).

4. If D.C. Private Investigations and Security Consultants LLC does not comply with the requirements of this Decision within 30 days of its effective date, then the emergency 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 Commission will notify D.C. Private Investigations and Security Consultants LLC in writing when the Commission's records demonstrate compliance with Ordering Paragraph No. 3.

6. D.C. Private Investigations and Security Consultants LLC shall operate in accordance with all applicable statutes, orders, and rules of the Commission. The Commission may issue an order to cease and desist or to suspend, revoke, alter, or amend any certificate or permit for violation of, or refusal to observe any statute, order, or rule of the Commission, consistent with § 40-10.1-112(1), C.R.S.

7. 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 Decision.

8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 26, 2019.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners