

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0599CP

IN THE MATTER OF THE APPLICATION OF WEST SLOPE RUNNERS LLC FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A
COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION DEEMING APPLICATION
INCOMPLETE AND DISMISSING APPLICATION
WITHOUT PREJUDICE**

Mailed Date: December 20, 2019

Adopted Date: December 11, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On October 31, 2019, West Slope Runners LLC (Applicant) filed an Application for permanent authority to operate as a common carrier of passengers by motor vehicle for hire.

2. On November 12, 2019, Staff of the Commission timely issued a Deficiency Letter pursuant to Rule 1303(c)(II) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1. This letter advised Applicant of several deficiencies with the application, including the lack of a complete description of the authority sought.

3. Rule 1303(c)(II), 4 CCR 723-1, states that upon receipt of a deficiency letter, "the applicant may file a response either curing all the deficiencies noted by Commission staff or explaining why it believes no further action is required." This response "shall be filed no later than ten days after Commission staff's written notification was sent." *Id.* "If the applicant does not respond in the time allotted, the Commission may, after the application's notice period has

expired, deem the application incomplete, dismiss the application without prejudice, and close the proceeding.” *Id.*

4. The Deficiency Letter was mailed to Applicant on November 12, 2019. Therefore, the ten-day period allotted for curing the deficiency expired on November 22, 2019.

5. Applicant has not filed a response to the Deficiency Letter or the requested information.

6. Pursuant to Rule 1206(c)(I), 4 CCR 723-1, the Commission did not provide notice of this Application because of the above mentioned deficiencies.

7. Due to the foregoing, the Commission deems the Application incomplete and dismisses the Application without prejudice.

II. ORDER

A. The Commission Orders That:

1. The Application of West Slope Runners LLC, filed on October 31, 2019, is deemed incomplete, within the meaning of § 40-6-109.5, C.R.S., and Rule 1303(c) of the Commission’s Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, and is dismissed without prejudice.

2. This Proceeding is closed.

3. 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.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 17, 2019.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners