

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 20L-0338CP

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IN THE MATTER OF THE APPLICATION FILED BY RAMBLIN' EXPRESS, INC. TO REVISE THE SCHEDULED SERVICE AUTHORIZED BY CERTIFICATE NO. 47966 BETWEEN THE DENVER METRO AREA AND CASINOS IN BLACK HAWK AND CENTRAL CITY BY FILING THE 1ST REVISED PAGE 15.1 TO PASSENGER TARIFF, COLORADO PUC NO. 3 ON LESS THAN STATUTORY NOTICE.

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**DECISION GRANTING TIME SCHEDULE CHANGES  
ON LESS-THAN-STATUTORY NOTICE**

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Mailed Date: August 28, 2020

Adopted Date: August 26, 2020

**I. BY THE COMMISSION**

**A. Statement**

1. On August 18, 2020, Ramblin' Express, Inc. (Ramblin' Express), filed an application for authority to file the 1<sup>st</sup> Revised Page 15.1 to Passenger Tariff, Colorado PUC No. 3<sup>1</sup> to become effective on less-than-statutory notice.

2. Ramblin' Express, under Certificate No. 47966, may provide scheduled service between points in the Denver metro area, on the one hand, and points in Black Hawk and Central City, Colorado, on the other hand.

3. Ramblin' Express, in the 1<sup>st</sup> Revised Page 15.1<sup>2</sup> to Passenger Tariff, Colorado PUC No. 3, proposes to begin reducing the daily scheduled service between

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<sup>1</sup> Rule 6208(f), 4 *Code of Colorado Regulations* 723-6, Time Schedules, requires that a common carrier with scheduled authority file its time schedule as part of its common carrier tariff. This time schedule is a section of Ramblin' Express's Passenger Tariff, Colorado PUC No. 3.

<sup>2</sup> The Original Page 15.1 was filed by Ramblin' Express on July 6, 2020 in Proceeding No. 20L-0293CP as a less-than statutory notice application. The application was granted by the Commission on July 16, 2020 by Decision No. C20-0521.

7330 West 52nd Avenue in Arvada and the casinos in Black Hawk and Central City from 21 to 13 round-trips.

4. To support the proposed reduction of the scheduled service between 7330 West 52nd Avenue in Arvada and casinos in Black Hawk and Central City, Todd Holland, the president of Ramblin' Express, provided the following statement:

We request to have this revised Time Schedule effective as soon as possible. The current pandemic, and ensuing closures and re-openings of casinos in Black Hawk & Central City, has forced us to be flexible and adaptive with our scheduled service to those cities. Earlier this Summer we began service from this new location with a schedule offering 21 daily round-trip[s] to Black Hawk & Central City, essentially "hourly", to meet the anticipated needs of the gaming communities of Black Hawk & Central City where casinos were just recently allowed to re-open. In working with the casinos, we determined an urgent need for regular scheduled services from this area, starting early in the morning and extending late into the evening, specifically for their employees needing to get to and from work. We worked directly with the casinos to identify and launch a location and schedule conducive to the needs of their employees and the general public.

Unfortunately, consistent ridership and revenue has not yet materialized on this schedule, where we have been [operating] buses averaging "less than 2 passenger" per round-trip. Daily passenger counts are typically ranging between 20 and 40 people *per day*, which is financially unsustainable. We identified the least frequently used trips to be discontinued, and have communicated these schedule reductions to the public and the casinos who rely on these services for their employees.

(Emphasis in Original)

5. As a common carrier, Ramblin' Express is required by Rule 6207(h) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6 to file revised tariffs and time schedules on 30 days' notice. However, Rule 6207(j) 4 CCR 723-6, allows the Commission to grant a change to a tariff (or time schedule) on less-than 30 days' notice for good cause shown.

6. In consideration of the support provided with this application, the Commission finds that Ramblin' Express has shown good cause to approve the proposed time schedule changes to Passenger Tariff, Colorado PUC No. 3 on the requested less than 30 days' notice.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The Application filed on August 18, 2020, by Ramblin' Express, Inc. (Ramblin' Express) is deemed complete.

2. The Application of Ramblin' Express to allow it to publish the 1<sup>st</sup> Revised Page 15.1 to Passenger Tariff, Colorado PUC No. 3 to become effective on less-than-statutory notice is granted.

3. Ramblin' Express is authorized to file, on not less than one day's notice to the Commission, an advice letter and the 1<sup>st</sup> Revised Page 15.1 to Passenger Tariff, Colorado PUC No. 3. The 1<sup>st</sup> Revised Page 15.1 to Passenger Tariff, Colorado PUC No. 3 is attached as Appendix A and made a part of this Decision.

4. The advice letter and the 1<sup>st</sup> Revised Page 15.1 to Passenger Tariff, Colorado PUC No. 3 shall be filed within ten days of the effective date of this Decision in a new Advice Letter Proceeding.

5. 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 effective date of this Decision.

6. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
August 26, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

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JOHN GAVAN

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MEGAN M. GILMAN

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Commissioners