

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0089CP

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

**COMMISSION DECISION GRANTING
SECOND REQUEST FOR AN EXTENSION OF TIME**

Mailed Date: December 11, 2020

Adopted Date: December 9, 2020

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a motion submitted on November 25, 2020, by Powderhorn Pacific LLC, doing business as Powderhorn Mountain Resort (Applicant), requesting that the Commission grant another 60-day extension (until January 26, 2021) to comply with the terms of Decision No. R20-0491 (Decision).

2. On March 5, 2020, Applicant filed an application for new permanent authority to operate as a common carrier of passengers by motor vehicle for hire.

3. The Commission noticed the application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 9, 2020. Interventions to the application were filed; and thus, the proceeding was referred to an Administrative Law Judge.

4. On July 8, 2020, the Decision was issued, granting the application as amended. In Ordering Paragraph No. 5, the Decision set forth certain requirements, such as filing proof of insurance and paying the motor vehicle fee, that were to be completed within 60 days of the

Decision's effective date. The Decision further states that for good cause shown, the Commission may grant additional time for compliance.

5. By Decision C20-0740, mailed on October 19, 2020, the Commission granted Applicant's first request for additional time and gave Applicant until November 27, 2020 to complete the requirements set forth in the Decision.

6. In this second request for additional time, Applicant explains, in part:

Since filing its First Motion, two developments related to Powderhorn's compliance items have occurred. First, due to unseasonably dry weather and high temperatures, Powderhorn delayed the start of its ski season until the first week of December. Second, the state has imposed new restrictions on shuttle capacity that apply to Powderhorn that make it impractical for Powderhorn to provide its planned shuttle service for skiers and snowboarders for the time being. Powderhorn therefore has not yet leased or purchased the vehicles it plans to use for its shuttle operations but is hopeful that it will be able to do so in January.

7. The Commission concludes that good cause exists to extend the time for compliance with the requirements of the Decision until January 26, 2021.

II. ORDER

A. The Commission Orders That:

1. The motion filed by Powderhorn Pacific LLC, doing business as Powderhorn Mountain Resort, on November 25, 2020, requesting that the Commission grant another 60-day extension (until January 26, 2021) for it to complete the requirements set forth in Decision No. R20-0491 is granted.

2. Powderhorn Pacific LLC, doing business as Powderhorn Mountain Resort, is granted until January 26, 2021, to complete the requirements set forth in Decision No. R20-0491.

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 9, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN C. GAVAN

MEGAN GILMAN

Commissioners