

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21V-0021CP

IN THE MATTER OF THE PETITION OF ALPINE TAXI/LIMO, INC. DOING BUSINESS AS ALPINE AND/OR GO ALPINE FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

**COMMISSION DECISION DISMISSING
WAIVER AS MOOT**

Mailed Date: February 1, 2021
Adopted Date: January 27, 2021

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a Petition for Waiver/Variance of Regulated Intrastate Carrier Rules filed on December 30, 2020 by Alpine Taxi/Limo, Inc. doing business as Alpine and/or GO Alpine (Petitioner).

2. Petitioner requests a waiver from Rule 6117(c) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6.

3. The vehicle for which a waiver is requested is a 2006 Ford Terra Transit Van, VIN No. 1FDXE45S95HA16901. The waiver is requested from January 1, 2021 through January 1, 2022.

4. The Commission noticed this petition to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on January 11, 2021.

5. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is therefore uncontested. Pursuant to § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

6. In accordance with Rule 1003 of the Rules of Practice and Procedure, 4 CCR 723-1, the Commission may grant waivers from Commission rules for good cause. In rendering a decision, the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

7. Rule 6117(c), 4 CCR 723-6, states that “With the exception of a Luxury Limousine which meets the definition of “Collector’s Vehicle” in subparagraph 6305(a)(IV), no Motor Vehicle operated under a Certificate or Permit shall be more than 15 years old regardless of condition or mileage.”

8. Petitioner currently holds a permit from the Commission to operate as a luxury limousine carrier, Permit No. LL-0555 and as a Common Carrier under a Certificate of Public Convenience and Necessity (CPCN) 26246.

9. In support of the waiver, when identifying the reason for the petition, the Petitioner states: “Vehicle is used for backup as the need arises. Vehicle cosmetics and maintenance have been kept up to date.”

10. Petitioner submitted six photographs of the vehicle’s interior and exterior, the past three years of Annual Vehicle Inspection Forms, previous work orders, a valuation statement, safety features of the vehicle, proof of ownership, a revenue report and a loan status statement.

11. The transportation rules amendment, effective May 15, 2019, changed the method of calculating age of motor vehicles under Rule 6117. As a result, the vehicle listed in this petition is considered 15 model years old through calendar year 2021 and does not require an age of motor vehicle waiver.

II. ORDER**A. The Commission Orders That:**

1. The petition of Alpine Taxi/Limo Inc. doing business as Alpine and/or GO Alpine for a waiver from Rule 6117(c) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6, is dismissed as moot.

2. 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 this Decision.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 27, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN C. GAVAN

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Commissioners