

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21V-0062EC

IN THE MATTER OF THE PETITION OF SIMPLY SAFE TRANSPORTATION LLC FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

COMMISSION DECISION GRANTING WAIVER IN PART

Mailed Date: March 1, 2021
Adopted Date: February 24, 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 February 2, 2021, by Simply Safe Transportation LLC (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 2003 Buick LeSabre, VIN No. 1GHP52K434137980. The waiver is requested from January 28, 2021 through January 28, 2022.

4. The Commission noticed this petition to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on February 8, 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 deciding, 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. In support of the waiver, when identifying the reason for the petition, the Petitioner states:

The plan in starting Simply Safe Transportation LLC is to replace our lost income due to COVID 19, while providing a service to the community. Starting a Non Emergent Medical Company will allow us to fulfill that plan. Unfortunately, at this time we are unable to purchase a newer vehicle due to lack of funds. We have invested in our current vehicle to ensure it meets all requirements for a waiver. Part of our business plan includes purchasing a newer vehicle within the first year as well as investing part of our profit back into the company. We are asking for 1 year to purchase a newer vehicle.

9. 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.

10. The Commission finds that good cause has been shown to grant a waiver from Rule 6117(c) for the 2003 Buick LeSabre named in this petition and grants this petition from the mailed date of this Decision through January 28, 2022.

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

1. The petition of Simply Safe Transportation LLC for a waiver from Rule 6117(c) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6, is granted, from mailed date of this Decision through January 28, 2022.

2. Simply Safe Transportation LLC shall keep a copy of this Decision in the 2003 Buick LeSabre. Simply Safe Transportation LLC shall provide this Decision immediately on request by any Commission enforcement official.

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 this Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 24, 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