Decision No. C21-0165

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21V-0035EC

IN THE MATTER OF THE PETITION OF ABSOLUTE PRESTIGE LIMOUSINE SERVICE, LTD. FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF RULE 6117(C) (AGE OF VEHICLES) OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

COMMISSION DECISION DENYING APPLICATION FOR REHEARING, REARGUMENT, OR RECONSIDERATION OF DECISION NO. C21-0074

Mailed Date: March 19, 2021
Adopted Date: March 17, 2021

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. By this Decision, the Commission addresses the Application for Rehearing, Reargument, or Reconsideration (RRR) of Decision No. C21-0074 filed on February 23, 2021, pursuant to § 40-6-114, C.R.S., by Absolute Prestige Limousine Service, Ltd. (Petitioner).

2. Through Decision No. C21-0074, issued February 11, 2021, the Commission denied Petitioner's request to waive Rule 4 *Code of Colorado Regulations* (CCR) 723-6-6117(c) of the Commission's Rules Regulating Transportation by Motor Vehicle for the period January 11, 2021 through January 11, 2023. This request was made for Petitioner's 2003 Lincoln Town Car, VIN No. 1LNHM82W43Y658512. The Commission's Rule 6117(c) establishes a 15-year age limit for motor vehicles used to provide luxury limousine service. Upon consideration of Petitioner's petition for rule waiver and the supporting information provided by Petitioner, the Commission determined that Petitioner had not shown good cause to grant a waiver of Rule 6117(c) for the requested 2003 Lincoln Town Car. The Commission therefore denied the petition.

3. Petitioner's Application for RRR, filed February 23, 2021, requests that the Commission reconsider its decision and grant the requested waiver for the requested two-year period, or another period as the Commission determines appropriate.

4. Pursuant to § 40-6-114, C.R.S., the party requesting RRR of a Commission decision must specify why the decision was "unlawful." § 40-6-114(1), C.R.S. The Commission may reverse a decision if, after reconsideration, it appears the original decision was "unjust or unwarranted." § 40-6-114(3), C.R.S.

5. Upon review of Petitioner's Application for RRR, we find the filing provides no significant new information or argument that would give the Commission cause to reconsider the prior decision denying the requested rule waiver. We find the factual assertions and policy considerations raised in the RRR filing are substantially the same as those we previously considered when we determined to deny the requested waiver. The Commission therefore declines to reconsider its original decision and denies the Petitioner's Application for RRR.

II. ORDER

A. The Commission Orders That:

1. The Application for Rehearing, Reargument, or Reconsideration of Decision No. C21-0074, filed by Absolute Prestige Limousine Service, Ltd. on February 23, 2021, is denied.

2. This Decision is effective upon its Mailed Date.

B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING March 17, 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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Commissioners