

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22A-0422CP-EXT-TA

IN THE MATTER OF THE APPLICATION OF GROOME TRANSPORTATION OF SOUTHERN COLORADO, LLC DOING BUSINESS AS GROOME TRANSPORTATION FOR TEMPORARY AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 55275.

**COMMISSION DECISION GRANTING
TEMPORARY AUTHORITY**

Mailed Date: November 2, 2022
Adopted Date: October 26, 2022

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On October 6, 2022, Groome Transportation of Southern Colorado LLC, doing business as Groome Transportation (Applicant), filed an application for temporary authority to extend operations under Certificate of Public Convenience and Necessity (CPCN) PUC No. 55275.

2. Currently, Item (II) of CPCN No. 55275 authorizes the following: Transportation of passengers, in scheduled service, between the Colorado Springs Municipal Airport, Colorado Springs, Colorado, on the one hand, and Denver International Airport, Denver, Colorado, on the other hand, serving intermediate points within one mile of Interstate 25 only between the intersection of Interstate Highway 25 and Circle Drive, Colorado Springs, and the intersection of Interstate Highway 25 and Founders Parkway, Castle Rock. Applicant proposes to extend its authority for 120 days in order to add points in Pueblo, Colorado to the scheduled service authorized by Item (II), as more fully described in the Appendix attached to this Decision.¹

¹ An application for permanent authority is pending in Proceeding No. 22A-0403CP-EXT.

3. The Commission gave notice of the application on October 10, 2022, for a period of five days pursuant to § 40-10.1-204(4), C.R.S.

4. There are no interventions opposing a grant of the application.

5. Pursuant to § 40-10.1-204(1), C.R.S., the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority for common carrier service when “there appears to be an immediate and urgent need to any point or within a territory having no such service capable of meeting the need.”

6. In support of the temporary authority, Applicant explains:

The Pueblo Airport master plan, presented on August 8, 2022, states that nine out of 10 passengers opt to fly out Denver or Colorado Springs airports. Further data from the master plan suggests that approximately 60% of Pueblo air passengers drive 130 miles north to DIA and 31% to Colorado Springs airport. The master plan states that while the airport is subsidized with a federal program it is not expected to increase its commercial traffic over the next 20 years. Therefore, the 90+% not serviced by limited flights in Pueblo will be required to continue driving themselves to Denver or Colorado Springs. [Applicant] can immediately begin to offer these citizens an economical, safe, and reliable means of transportation to either destination.

7. The Commission finds and concludes that the information submitted with this application shows that an immediate and urgent need for the requested transportation service exists, and there is no other carrier capable of meeting the need.

8. The Commission also finds that Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority sought, and the application for temporary authority is in the public interest.

9. Applicant is advised that the grant of a temporary authority creates no presumption that a permanent authority will be granted.

II. ORDER

A. The Commission Orders That:

1. Groome Transportation of Southern Colorado LLC, doing business as Groome Transportation (Groome Transportation), is granted temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 55275 for a period of 120 days commencing from the Mailed Date of this Decision, with authority as set forth in the Appendix attached to this Decision.

2. Groome Transportation shall continue to operate in accordance with all applicable Colorado laws and Commission rules.

3. Groome Transportation shall not commence the extended operations until it has complied with the requirements of Colorado laws and Commission rules, including without limitation:

- (a) causing proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;
- (b) paying to the Commission, the motor vehicle fee (\$50.00) for each vehicle to be operated under authority granted by the Commission, or in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;
- (c) having an effective tariff and time schedule on file with the Commission [Groome Transportation shall file an advice letter and tariff on not less than one days' notice. The advice letter and tariff shall be filed as a *new* Advice Letter proceeding and shall comply with all applicable rules. In calculating the proposed effective date, the date received at the Commission is not included in the notice period and the entire notice period must expire prior to the effective date.]; and,
- (d) paying the applicable issuance fee (\$5.00).

4. If Groome Transportation does not comply with the requirements of this Decision within 30 days of its effective date, then the temporary authority to extend operations shall be void.

For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 30 days.

5. The Commission will notify Groome Transportation in writing when the Commission's records demonstrate compliance with Ordering Paragraph No. 3.

6. 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.

7. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 26, 2022.**

(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 GAVAN

MEGAN M. GILMAN

Commissioners