

Decision No. C24-0713

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0207BP

IN THE MATTER OF THE APPLICATION OF PURGATORY RECREATION I, LLC DOING BUSINESS AS MOUNTAIN TRANSPORT FOR A PERMIT TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION GRANTING
EXTENSION OF TIME**

Issued Date: October 4, 2024
Adopted Date: September 25, 2024

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a Motion For Extension Of Time To Comply With Commission Decision C24-0484 submitted on September 13, 2024, by Purgatory Recreation I, LLC, doing business as Mountain Transport (“Mountain Transport”).

2. On May 9, 2024, Mountain Transport filed an Application for permanent authority to operate as a contract carrier of passengers by motor vehicle for hire. Mountain Transport requests permanent authority to operate as a contract carrier and provide transportation for the Durango Mountain Master’s Association and the Cascade Village Homeowners Association,

3. The Commission noticed this Application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on May 13, 2024. No petition to intervene or otherwise participate in this proceeding was filed. The proceeding was uncontested.

4. On July 8, 2024, the Commission issued Decision C24-0484 granting the application, subject to Mountain Transport's compliance with the requirements named in Ordering Paragraph No. 3 of the Decision.

5. Ordering Paragraph No. 3 of the Decision required Mountain Transport to file proof of insurance; pay the motor vehicle fee and issuance fee; submit an advice letter and tariff; register with the Commission's electronic filing system, and submit the appropriate inspections of the vehicles to be operated.

6. The Decision required Mountain Transport to comply with each of these requirements within 60 days of its effective date of July 8, 2024. Therefore, Mountain Transport had until September 6, 2024, to complete the requirements of Ordering Paragraph No. 3.

7. Mountain Transport did not submit the vehicle inspections required by Ordering Paragraph No. 3(d) of the Decision by September 6, 2024.

8. To support the request for an extension of time, Mountain Transport states:

Mountain Transport timely filed its tariff implementing the authority, and satisfied other compliance requirements set forth in Paragraph 3, but now seeks a brief extension to satisfy the condition set forth at Paragraph 3(d), submitting vehicle inspection reports for the vehicles to be operated under the authority at the commencement of operations.

Mountain Transport has operated with authority from the Commission as a common carrier for many years, and complies with all Commission regulations, including obtaining annual inspections of its vehicles. Common carriers are not required to submit the reports regularly to the Commission, but must maintain them.

Unfortunately, this different regulatory treatment caused some confusion, and the current vehicle inspection reports in Mountain Transport's possession for its vehicles have not yet been formally submitted to the Commission.

9. Ordering Paragraph No. 5 of the Decision states “For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within 60 days of the effective date of this Decision.”

10. The Motion requesting the granting additional time was not filed within the 60-day period.

11. However, the Commission finds that Mountain Transport has shown good cause to grant the requested 14 day of time to complete the compliance requirements.

II. ORDER

A. The Commission Orders That:

1. The Motion submitted by Purgatory Recreation I, LLC, doing business as Mountain Transport (“Mountain Transport”), on September 13, 2024, requesting that the Commission grant an extension of time to complete the requirements set forth in Decision No. C24-0484, is granted.

2. Mountain Transport is granted an additional 14 days or until September 20, 2024, to comply with the requirements set forth in Decision No. C24-0484.

3. The 20-day period provided in § 40-6-114, C.R.S., within which to file an Application for Rehearing, Reargument, or Reconsideration begins on the first day following the effective date of this Order.

4. This Decision is effective immediately upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 25, 2024.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners