

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0249CP

IN THE MATTER OF THE APPLICATION OF SLOPESIDE SHUTTLE SERVICE, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM DECISION ACKNOWLEDGING
INTERVENTIONS, ADOPTING PROCEDURAL
SCHEDULE, PROVIDING INSTRUCTIONS CONCERNING
EXHIBITS, AND SCHEDULING EVIDENTIARY HEARING**

Issued Date: July 30, 2025

I. STATEMENT

A. Procedural Background

1. On June 6, 2025, Yampa Valley Transportation LLC (“Yampa” or “Applicant”) initiated this matter by filing an Application for Permanent Authority to Operate as a Common Carrier by Motor Vehicle for Hire (“Application”).

2. On June 9, 2025 Applicant filed a requested amendment for the authority it seeks in the Application.

3. On June 16, 2025, the Commission provided public notice under § 40-6-108(2), C.R.S., of the Application, describing the authority sought here, as follows:

For authority to operate as a common carrier by motor vehicle for hire for the transportation of passengers in call-and-demand taxi service, call-and-demand shuttle service, and call-and-demand charter service between all points within a 30-mile radius of the Yampa Valley Regional Airport, 11005 RCR 51A, Hayden, CO 81639.¹

¹ See Notice of Applications and Petitions Filed, filed on June 16, 2025.

4. On July 14, 2025, NDW Enterprises LLC, doing business as Ski Town Transportation (“Intervenor” or “Ski Town”) timely filed its Intervention by Right to Permanent Authority Application (“Ski Town’s Intervention”), opposing the Application. To its intervention, Ski Town attached its purported letter of authority.²

5. On July 25, 2025, the Commission deemed the Application complete and referred the matter to an Administrative Law Judge (“ALJ”) by minute entry.

II. RELEVANT LAW, DISCUSSION, FINDINGS, AND CONCLUSIONS

A. Relevant Law

6. Two classes of parties may intervene in proceedings such as this: parties with a legally protected right that may be impacted by the proceeding (intervention of right), and parties with pecuniary or tangible interests that may be substantially impacted by the proceeding (permissive intervention).³ To intervene of right, a carrier’s intervention must: state the basis for the claimed legally protected right that may be impacted by the proceeding; include a copy of the carrier’s authority; show that the carrier’s authority is in good standing; identify the specific parts of the authority that are in conflict with the application; and explain the consequences to the carrier and the public interest if the application is granted.⁴ A carrier’s letter of authority provides the basis for the legally protected right which an intervener claims may be impacted by the proceeding. Thus, when determining whether an intervention of right is appropriate, it is important to determine whether the intervener’s letter of authority shows that it has the right to operate in a manner that may be impacted by an application’s requested authority.

² See Appendix A -- Certificate of Public Convenience and Necessity PUC No. 55991, filed July 14, 2025.

³ 4 CCR 723-1401(b) and (c); Rule 1206(a); See also § 40-6-109(a), C.R.S.; and *RAM Broadcasting of Colo. Inc., v. Public Utilities Comm’n*, 702 P.2d 746, 749 (Colo. 1985).

⁴ Rule 1401(b) and (f)(I), 4 CCR 723-1.

7. In accordance with these requirements and upon review of the filed intervention and supporting authority, Ski Town’s intervention as of right is acknowledged.

B. Procedural Schedule

8. To advance this Proceeding forward, the ALJ will adopt the following procedural schedule, as ordered below:

Procedural Event	Due Date(s)
Applicant’s witness list and exhibits	September 17, 2025
Intervenor’s witness list and exhibits	October 10, 2025
Hybrid Evidentiary Hearing	November 4, 2025

9. Should any party find that an additional prehearing conference is needed for any reason, one may be scheduled at a later date.

C. Hybrid Evidentiary Hearing and Instructions Concerning Exhibits

10. The evidentiary hearing in this proceeding will be held as a hybrid hearing, accommodating participation by video-conference. This Decision, Attachment A, and Attachment B provide important information and instructions to facilitate holding the hybrid hearing, which all parties must follow.

11. Given that the hearing will accommodate remote participation by video-conference, exhibits must be presented electronically.

12. The procedures developed for the hybrid evidentiary hearing are intended to replicate, as practicable, evidence presentation as it occurs when parties and witnesses are present in the hearing room. For example, participating by video-conference allows parties and witnesses

to view exhibits on the video-conference screen while the exhibits are being offered into evidence and witnesses testify about them.

13. The evidentiary hearing will be conducted in person and via video-conference using the Zoom platform. Attachment A to this Decision provides information about the Zoom platform and how to use Zoom to participate in the hybrid hearing. To minimize the potential that the hybrid hearing may be disrupted by non-participants, the link and meeting ID, or access code, to attend the hearing will be provided to the parties by email before the hearing, and the parties and witnesses will be prohibited from distributing that information to anyone not participating in the hearing.

14. Attachment B outlines procedures and requirements for marking and formatting exhibits aimed at facilitating efficient and smooth electronic evidence presentations at the hybrid hearing. It is extremely important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

15. In order to efficiently organize the numbering and preparations of exhibits for the hearing, the parties shall use a unified numbering system for all hearing exhibits. Blocks of hearing exhibit numbers are assigned as follows:

- Applicant is assigned hearing exhibit numbers 100 to 199; and
- Ski Town is assigned hearing exhibit numbers 200 to 299.

D. Additional Procedural Notices and Advisements

16. The parties are on notice that the ALJ will retain the discretion to change the method by which the hearing will be conducted.

17. Additional procedural requirements may be addressed in future Interim Decisions.

18. **All parties are advised** that this proceeding is governed by the Rules of Practice and Procedure found at CCR 723-1. The ALJ expects the parties to comply with these rules.

The rules are available on the Commission’s website (<http://puc.colorado.gov/pucrules>) and in hard copy from the Commission.

19. Each party is specifically advised that all filings with the Commission must also be served upon all other parties in accordance with Rule 1205 of the Rules of Practice and Procedure, 4 CCR 723-1.

E. Informational Video Conference Practice Session

20. The ALJ will hold an informal practice video conference session if requested by any Party to give the Parties an additional opportunity to practice using Zoom and box.com before the hearing.

21. The Parties may contact the Commission Legal Assistants by email at casey.federico@state.co.us or stephanie.kunkel@state.co.us to schedule an informal practice video conference session.

22. The Parties will receive information and a link to participate in the informal practice session by email.

III. ORDER

A. It Is Ordered That:

1. The timely intervention of right filed by NDW Enterprises LLC, doing business as Ski Town Transportation (“Intervenor” or “Ski Town”) on July 14, 2025, is acknowledged.

2. No later than **September 17, 2025**, Applicant shall file and serve: (a) a list that identifies the witnesses it intends to call at the hearing, including a summary of the anticipated testimony of each witness; and (b) copies of the exhibits it will present at the hearing.

3. No later than **October 10, 2025**, Intervenors shall file and serve: (a) a list that identifies the witnesses each intends to call at the hearing, including a summary of the anticipated testimony of each witness; and (b) copies of the exhibits each will present at the hearing.

4. A hybrid evidentiary hearing in this proceeding is scheduled as follows:

DATE: November 4, 2025

TIME: 9:00 a.m.

PLACE: Commission Hearing Room
1560 Broadway, Suite 250
Denver, Colorado

METHOD: In-person and by video-conference using Zoom at the link to be provided to counsel and the parties via email prior to the hearing.

Optionally, any party may participate remotely by joining a video conference using Zoom at the link provided to the established parties in an email prior to the scheduled hearing, as addressed above.

5. The parties shall be held to and shall comply with the requirements in this Decision.

In addition to other requirements of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, all pre-filed exhibits shall be marked for identification and filed in accordance with this Decision, including Attachment B hereto.

6. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

AVIV SEGEV

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director