

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-0497BP

IN THE MATTER OF THE APPLICATION OF FRED J. AND ASSOCIATES FOR A PERMIT
TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

DECISION DENYING EXTENSION OF TIME

Mailed Date: January 21, 2014

Adopted Date: January 15, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a request for extension of time filed on January 8, 2014 by Fred J. and Associates (Fred J.) requesting that the Commission grant an extension through December 31, 2014 to comply with the terms of Decision No. R13-0933.

2. On July 31, 2013, Fred J.'s application for contract carrier authority was granted by Recommended Decision No. R13-0933. Fred J. had 60 days from the effective date of the Recommended Decision to file proof of financial responsibility; pay to the Commission the motor vehicle fee for each vehicle and the issuance fee; and file an advice letter and tariff. Alternatively, Fred J. could request an extension of time to file the compliance items and state good cause for doing so, so long as the filing was made on or before the date the compliance items were due, October 18, 2013.

3. On October 15, 2013, Fred J. filed a request for extension of time to file compliance items, stating that obtaining insurance was proving difficult. This request for

extension of time asked for 90 days, and was granted by Decision No. C13-1389 on November 5, 2013, giving Fred J. through January 16, 2014 to either file the compliance items or request a further extension of time.

4. On January 8, 2014, Fred J. filed a second request for extension of time. This time, Fred J. requests an extension through December 31, 2014, and states that the reason is because the company's owner, Fred J. Morka, has too many points on his driver's license to be able to obtain an affordable commercial insurance policy at this time.

5. We have reviewed the Commission files in this matter. Fred J. does not state good cause to extend the compliance time. Fred J. was already granted a 90-day extension of time, meaning Fred J. had a total of 170 days from the date the Recommended Decision granting the application was issued to file these compliance items. More importantly, Fred J.'s grounds for requesting an extension of time show that Fred J. presents a public safety risk. Therefore it would not be in the public interest to grant this extension of time.

I. ORDER

A. The Commission Orders That:

1. The request for extension of time filed by Fred J. and Associates on January 8, 2014 is denied, consistent with the discussion in this Decision.

2. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration, begins on the first day following the effective date of this Decision.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 15, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners