

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0249CP

IN THE MATTER OF THE APPLICATION OF FOLEY'S PADDY WAGON TOURS LLC
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A
COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION GRANTING
PERMANENT AUTHORITY**

Mailed Date: May 12, 2014
Adopted Date: April 30, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On March 24, 2014, Foley's Paddy Wagon Tours LLC (Applicant), filed an application for permanent authority to conduct operations as a common carrier by motor vehicle for hire. Applicant requests authority to transport passengers in call-and-demand sightseeing service between all points in the Cities of Berthoud and Longmont, on the one hand, and all points in the Counties of Boulder, Larimer, and Weld on the other hand.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on March 24, 2014.

3. No interventions were filed against this application. This proceeding is therefore uncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

4. The information submitted with this application warrants the granting of the requested common carrier authority, as amended. Applicant is a limited liability corporation in

good standing with the Colorado Secretary of State; and the application includes a sufficient statement of fact and fitness. The application also includes letters of public support.

5. The present or future public convenience and necessity requires, or will require, the transportation service as requested.

6. Applicant is fit to perform the service as requested.

7. This application for permanent authority is in the public interest and will be granted.

II. ORDER

A. The Commission Orders That:

1. This application was deemed complete for purposes of § 40-6-109.5, C.R.S., on April 30, 2014.

2. Foley's Paddy Wagon Tours LLC is granted a Certificate of Public Convenience and Necessity (CPCN) to operate as a common carrier by motor vehicle for hire with authority as set forth in the Appendix attached to this Decision.

3. Foley's Paddy Wagon Tours LLC shall operate in accordance with all applicable Colorado law and Commission rules.

4. Foley's Paddy Wagon Tours LLC shall not commence operation until it has complied with the requirements of Colorado law 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 (\$5) 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 on file with the Commission. [Foley's Paddy Wagon Tours LLC shall file an advice letter and tariff on not less than ten 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. (Additional tariff information can be found on the Commission's website at dora.colorado.gov/puc and by following the transportation common and contract carrier links to tariffs)]; and,
- (d) paying the applicable issuance fee (\$5).

5. If Foley's Paddy Wagon Tours LLC does not cause proof of insurance or surety bond to be filed, pay the appropriate motor vehicle fees, file an advice letter and proposed tariff, and pay the issuance fee within 60 days of the effective date of this Decision, then the grant of the CPCN shall be void. 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.

6. The Commission will notify Foley's Paddy Wagon Tours LLC in writing when the Commission's records demonstrate compliance with Ordering Paragraph 4.

7. 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.

- 8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 30, 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