

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0718CP

IN THE MATTER OF THE APPLICATION OF THE CITY OF CRIPPLE CREEK, 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: August 29, 2014
Adopted Date: August 20, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On June 30, 2014, the City of Cripple Creek (Applicant), filed an application for permanent authority to conduct operations as a common carrier by motor vehicle for hire.
2. Applicant requested authority to transport passengers in call-and-demand shuttle service between all points within a 30-mile radius of 2nd Street and Bennett Avenue, Cripple Creek, Colorado.
3. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on July 14, 2014.
4. On July 18, 2014, Ramblin' Express Inc. (Ramblin') filed an intervention against the application.
5. On August 12, 2014, Ramblin' filed a Motion to Amend Application and Stipulation (Motion) signed by counsel for Ramblin' and Applicant. The Motion stated that Ramblin' agreed to withdraw its intervention, and Applicant agreed to amend the application to

decrease the radius of service from 30 miles to 10 miles. The amendment is restrictive in nature, clear, and enforceable.

6. Since Ramblin's intervention has been withdrawn, this proceeding is now uncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without hearing.

7. We find that the information submitted with this application warrants the granting of the requested Certificate of Public Convenience and Necessity. The application includes a sufficient statement of fact and fitness.

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

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

10. 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 August 20, 2014.

2. The City of Cripple Creek, is granted a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire as set forth in the Appendix attached to this Decision.

3. The City of Cripple Creek shall operate in accordance with all applicable Colorado law and Commission rules.

4. The City of Cripple Creek 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. [The City of Cripple Creek 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 the City of Cripple Creek 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 Permit 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 the City of Cripple Creek in writing when the Commission's records demonstrate compliance with Ordering Paragraph No. 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
August 20, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners