

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0810BP

IN THE MATTER OF THE APPLICATION OF ABAMA ADULT DAY PROGRAM INC. FOR A
PERMIT TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION GRANTING
PERMANENT CONTRACT CARRIER PERMIT**

Mailed Date: October 7, 2014
Adopted Date: October 1, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On July 28, 2014, Abama Adult Day Program, Inc. (Applicant) filed an application for permanent authority to conduct operations as a contract carrier of passengers by motor vehicle for hire. Amendments to the application were submitted on August 15, 2014.

2. Applicant requests authority to transport passengers between all points in the Counties of Adams, Arapahoe, Boulder, Denver, Douglas, and Jefferson, State of Colorado. The application is restricted: (a) to the transportation of passengers who are recipients of Medicaid; (b) to providing Non-Medical Transportation services for the Colorado Department of Health Care Policy and Financing, 1570 Grant Street, Denver, Colorado; (c) against providing transportation services to or from airports and hotels; and, (d) to providing transportation services to clients of Abama Adult Day Program, Inc.

3. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on August 25, 2014.

4. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is uncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without hearing.

5. We find that the information submitted with this application warrants the granting of the requested contract carrier permit. Applicant is a Colorado corporation that is in good standing with the Secretary of State. The application includes the requisite customer support letter from the Colorado Department of Health Care Policy and Financing. The application also includes a sufficient statement of fact and fitness.

6. We conclude that a present and special need for the requested transportation service exists. A grant of the requested authority will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.

II. ORDER

A. The Commission Orders That:

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

2. Abama Adult Day Program, Inc. is granted a Permit to operate as a contract carrier by motor vehicle for hire as set forth in the Appendix attached to this Decision.

3. Abama Adult Day Program, Inc. shall operate in accordance with all applicable Colorado laws and Commission rules. All operations under the permit granted shall be strictly contract carrier operations.

4. Abama Adult Day Program, Inc. shall not commence operation until it has complied with the requirements of Colorado laws 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. [Abama Adult Day Program, Inc. 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 Abama Adult Day Program, Inc. 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 Abama Adult Day Program, Inc. 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 orders this Decision.

8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 1, 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