

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0803EC

IN THE MATTER OF THE PETITION OF PAIGE ROYALTY LIMOUSINE & SHUTTLE SERVICES LLC FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE.

**DECISION DENYING APPLICATION FOR REHEARING,
REARGUMENT, OR RECONSIDERATION**

Mailed Date: October 23, 2014

Adopted Date: October 15, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of an application for Rehearing, Reargument, or Reconsideration (RRR) of Decision No. C14-1177 filed on September 30, 2014, by Paige Royalty Limousine & Shuttle Services LLC (Petitioner).

2. Petitioner filed a Petition for Waiver/Variance of Rule 6305(b) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6 (Age of Motor Vehicles). The waiver was requested for a 1990 Cadillac Brougham Limousine. This waiver was requested from July 15, 2014 through July 15, 2016.

3. Pursuant to Rule 1003 of the Rules of Practice and Procedure, 4 CCR 723-1, the Commission may grant waivers or variances from tariffs, Commission rules, and substantive requirements contained in Commission decisions and orders for good cause. In making a determination, the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

4. Rule 6305(b), 4 CCR 723-6, states that “luxury limousine carriers shall not use vehicles older than ten model years as of July 1 of each year.”

5. In support of the waiver, Petitioner states that the vehicle “has been very well maintained and is a symbol [*sic*] of the very first few models of limousines.” Petitioner submitted pictures of the vehicle.

6. After a review of the support filed by Petitioner, the Commission found, at its weekly meeting of September 17, 2014, that Petitioner had not shown good cause to grant a waiver of Rule 6305(b) for the 1990 Cadillac Brougham Limousine named in the Petition. Decision No. C14-1177 was mailed on September 25, 2014.

7. In support of the application for RRR filed September 30, 2014, Mr. Jonathan Paige, owner of Petitioner, reiterates that the vehicle is well maintained and states his belief that the vehicle “presents well and is an icon for limousines.”

8. Petitioner has chosen to operate as a Luxury Limousine service, and is therefore subject to the standards required for this service. The existing vehicle age rule in the Luxury Limousine category serves to protect consumer expectations of a certain standard of luxury when using a Luxury Limousine service, and protect public safety, as more modern vehicles have better safety features. For the same reasons that the Petition for a Waiver was denied, we deny the application for RRR.

II. ORDER

A. The Commission Orders That:

1. The application for Rehearing, Reargument, or Reconsideration of Decision No. C14-1177 filed on September 30, 2014 by Paige Royalty Limo & Shuttle Services LLC is denied.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 15, 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