

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14C-0731-INS

IN THE MATTER OF COMMISSION ACTION AGAINST THE CERTIFICATE(S) AND PERMIT(S) OF MOTOR CARRIERS CONCERNING FINANCIAL RESPONSIBILITY PURSUANT TO § 40-10.1-112, C.R.S., AND RULE 4 CCR 723-6-6008 OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLES.

DECISION DENYING EXCEPTIONS

Mailed Date: October 23, 2014

Adopted Date: October 15, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of the Exceptions to Recommended Decision No. R14-0886 (Recommended Decision) such that Contract Carrier Permit No. B-10013 is not revoked, filed on August 13, 2014 by SpecialTouch Transportation LLC (SpecialTouch). Being duly advised in the matter and consistent with the discussion below, we deny the Exceptions.

2. On July 25, 2014, the Recommended Decision was issued. The Recommended Decision revoked the certificates and permits of a number of motor carriers, including SpecialTouch, for failure to maintain proof of financial responsibility (proof of insurance or surety bond), pursuant to § 40-10.1-107, C.R.S., and Rules 6007 and 6008 of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6.

3. By the terms of the Recommended Decision, any Respondent who filed proof of financial responsibility on or before August 14, 2014, would not have their authority revoked.

4. On August 13, 2014, SpecialTouch filed Exceptions to the Recommended Decision. SpecialTouch stated that their insurance had been wrongfully cancelled by SpecialTouch's insurance company, and that a suspension application is being filed by SpecialTouch. That suspension application was granted, in Proceeding No. 14A-0854BP-Suspension, but the suspension expired on September 13, 2014. There is no indication from SpecialTouch that they currently have insurance in place, or are ready to file proof of insurance, and there is no assurance from SpecialTouch that no transportation took place during the time that SpecialTouch's authority was summarily suspended for failure to maintain proof of insurance.

5. We find that SpecialTouch has not shown good cause to grant the Exceptions.

II. ORDER

A. The Commission Orders That:

1. The Exceptions to Recommended Decision No. R14-0886 filed by SpecialTouch Transportation LLC on August 13, 2014 are denied, consistent with the discussion above.

2. 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 this Decision.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 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