

Decision No. C14-1350

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0748BP

IN THE MATTER OF THE APPLICATION OF SHIWAYE BELETE DOING BUSINESS AS
BELETE TRANSPORTATION FOR A PERMIT TO OPERATE AS A CONTRACT CARRIER BY
MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION
GRANTING EXTENSION OF TIME**

Mailed Date: November 10, 2014
Adopted Date: November 5, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a filing submitted on October 24, 2014 by Shiwaye Belete, doing business as Belete Transportation (Applicant), requesting that the Commission grant an additional 60 days to file the compliance items required by Decision No. C14-1026.

B. Findings

2. On July 9, 2014, Applicant filed an application for permanent authority to conduct operations as a contract carrier by motor vehicle for hire.

3. The Commission noticed the application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on July 14, 2014. No petition to intervene or otherwise participate in the proceeding was filed. The proceeding was uncontested; and thus, it was determined without a hearing.

4. On August 26, 2014, the Commission issued Decision No. C14-1026 (Decision) and granted Applicant a permit to operate as a contract carrier by motor vehicle for hire. The Decision also set forth certain requirements to be completed by Applicant prior to the commencement of operations.

5. Specifically, Ordering Paragraph No. 4 of the Decision states that Applicant shall not commence operation until she 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. [Shiwaye Belete, doing business as Belete Transportation, 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).

6. Furthermore, Ordering Paragraph No. 5 of the Decision states:

If Shiwaye Belete, doing business as Belete Transportation, 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.

7. The Decision became effective on August 26, 2014. Therefore, Applicant had until October 27, 2014 (the sixtieth day, October 25, 2014, was a Saturday) to comply with the

Decision or file a request for additional time. A request for additional time was timely filed on October 24, 2014.

8. In the filing submitted on October 24, 2014, Ms. Belete states: “I recently had a baby and need extra time to comply with the decision.”

C. Conclusions

9. The Commission concludes that Applicant has shown good cause to extend the time for compliance with the requirements of the Decision for an additional 60 days from the original deadline of October 27, 2014.

II. ORDER

A. The Commission Orders That:

1. The request of Shiwaye Belete, doing business as Belete Transportation, filed on October 24, 2014, that the Commission grant an additional 60 days to complete the requirements set forth in Decision No. C14-1026 is granted.

2. Shiwaye Belete, doing business as Belete Transportation, is granted until December 26, 2014 to complete the requirements set forth in Decision No. C14-1026.

3. 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.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 5, 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