

Decision No. R14-0215-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-0892CP-TRANSFER

IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO TRANSFER CONTROL
OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1481 FROM
MKBS LLC, DOING BUSINESS AS METRO TAXI TO SUPERTAXI, INC.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
PAUL C. GOMEZ
BIFURCATING PROCEEDING; MODIFYING
PROCEDURAL SCHEDULE; TEMPORARILY
STAYING PROCEEDING; AND SETTING HEARING
ON ISSUE OF OVERLAPPING AUTHORITIES**

Mailed Date: February 26, 2014

I. STATEMENT

1. By Interim Decision No. R13-1287-I, issued October 11, 2013, a proposed procedural schedule was adopted in this proceeding. In part, the procedural schedule provided for an evidentiary hearing on February 18 through 21 and 24, 2014, and Closing Statements of Position due on March 6, 2014.¹

2. The evidentiary hearing was conducted on February 19, 2014 through 21 and 24, 2014 at the request of the Parties. During discussions prior to the commencement of testimony on February 19th, the Parties indicated that they proposed to bifurcate the proceeding whereby the February evidentiary hearing would involve the issue of whether the transfer of the Certificate of Public Convenience and Necessity of MKBS, LLC, doing business as Metro Taxi and/or Taxis Fiesta and/or South Suburban Taxi and/or Northwest Suburban Taxi to SuperTaxi,

¹ Interim Decision No. R13-1287-I provided that if the hearing continued through February 24, 2014, the date for filing Statements of Position would be extended from March 3, 2014 to March 6, 2014.

Inc. (SuperTaxi) was in the public interest. The Parties further proposed that an evidentiary hearing be scheduled for approximately four weeks regarding any overlapping authority issues arising as a result of the transfer. According to the Parties, this would allow more time to discuss any possible settlement agreement regarding that issue. The Administrative Law Judge agreed with the proposal to bifurcate the issues and conduct a second hearing on the issue of overlapping authorities to March 20, 2014.

3. As part of the proposal to bifurcate the proceeding, Applicant SuperTaxi also voluntarily waived the 210-day statutory deadline in which to issue a final Decision in this proceeding.

4. At the conclusion of the hearing, the Parties also requested that the original date of March 6, 2014 to file Closing Statements of Position be continued to April 11, 2014.

5. This Decision memorializes the proposals approved at the hearing in this proceeding. The proceeding is bifurcated and stayed as discussed above. A second hearing on the issue of overlapping authorities will be set for March 20, 2014. The deadline to file Closing Statements of Position will be continued to April 11, 2014. The 210-day deadline is waived by SuperTaxi pursuant to § 40-6-109.5(3), C.R.S.

II. ORDER

A. It Is Ordered That:

1. This proceeding is bifurcated into two separate issues consistent with the discussion above.

2. This proceeding is stayed until March 20, 2014 consistent with the discussion above.

3. The procedural schedule in this proceeding is modified consistent with the discussion above.

4. A second evidentiary hearing will be held to take testimony and evidence regarding the issue of overlapping authorities as a result of the proposed transfer of the authority of MKBS, LLC, doing business as Metro Taxi and/or Taxis Fiesta and/or South Suburban Taxi and/or Northwest Suburban Taxi to SuperTaxi, Inc.

5. The deadline to file Closing Statements of Position on the bifurcated issues is continued to April 11, 2014.

6. The deadline for parties to file any settlement agreement in this proceeding is March 17, 2014.

7. The 210-day period in which the Commission must issue a final Decision pursuant to § 40-6-109.5, C.R.S. is waived.

8. An evidentiary hearing on the issue of overlapping authorities is scheduled as follows:

DATE: March 20, 2014

TIME: 10:00 a.m.

PLACE: Hearing Room
Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver, Colorado 80202

9. This Decision is effective immediately.

(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

PAUL C. GOMEZ

Administrative Law Judge