

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-1347CP

IN THE MATTER OF THE APPLICATION OF WESTERN SLOPE YELLOW CAB, LLC
DOING BUSINESS AS GRAND JUNCTION YELLOW CAB FOR A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY
MOTOR VEHICLE FOR HIRE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
REQUIRING GISDHO SHUTTLE, INC., TO MAKE FILING**

Mailed Date: March 6, 2014

I. STATEMENT

1. On December 19, 2013, Western Slope Yellow Cab, LLC, doing business as Grand Junction Yellow Cab, filed an Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire (Application).

2. The Commission gave public notice of the Application on December 30, 2013.

3. Tazco, Inc., doing business as Sunshine Taxi and timely intervened of right on January 21, 2014.

4. GISDHO Shuttle, Inc., doing business as American Spirit Shuttle (American Spirit) filed an "Entry of Appearance and Notice of Intervention" on January 28, 2014.

5. On February 5, 2014, the Commission deemed the Application complete and referred the matter to an administrative law judge (ALJ) for disposition.

6. Pursuant to Decision No. R14-0166-I, the ALJ convened a prehearing conference on March 5, 2014. Among other parties that were present, Ms. Bonnie Richards appeared on

behalf of American Spirit. At the hearing, the ALJ gave American Spirit notice of the issues identified in this Decision.

7. Rule 1401(e) of the Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1, governs intervention in transportation proceedings. Among other requirements, Rule 1401(e) mandates that a notice of intervention identify the specific parts of the intervener's authority that is in conflict with the application. American Spirit's intervention does ~~not~~ do this.¹

8. The ALJ will order American Spirit to make a supplemental filing to its intervention which identifies the specific parts of its authority that is in conflict with the application, in compliance with Rule 1401(e), 4 CCR 723-1.

II. ORDER

A. It Is Ordered That:

1. On or by 5:00 p.m. on April 4, 2014, GISDHO Shuttle, Inc., doing business as American Spirit Shuttle shall make a filing supplementing its intervention in this proceeding identifying the specific parts of its authority that is in conflict with the authority sought by the Application in this proceeding.

¹ At the hearing, the ALJ identified another issue with the intervention, that is, it failed to include American Spirit's authority and failed to establish that American Spirit may be represented by a non-attorney. At hearing, Ms. Richards indicated she had filed the company's authority. Since the hearing, the ALJ was able to locate the authority that American Spirit filed. The ALJ will issue a separate decision relating to American Spirit's representation.

2. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director