

COLORADO PUBLIC UTILITIES COMMISSION - Formal Complaint Form

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CASE NO. _____
(PUC use only)

COMPLAINT

1. The **Complainant(s)** is (are):

<u>Name</u>	<u>Address (Include City and Zip Code)</u>	<u>Phone No.</u>
Durango Taxi LLC	121 W 32nd Street, Suite C Durango, CO 81301	970.259.4818

2. The name and business address of each **Respondent** is:

<u>Name</u>	<u>Address</u>
Animas Transportation	189 St Andrews Circle
Sandra Nadoly	Durango, CO 81301
Don Tunick	

3. The specific act(s) or things complained of, with the necessary facts to give a full understanding of the situation, is (are):

SEE ATTACHED SHEET

If you need more space, please attach a separate sheet of 8 1/2 X 11 paper.)

Animas Transportation is a Luxury Limousine, Permit LL-01961.

Durango Taxi is a Common Carrier, Authority L14196.

Animas Transportation transports passengers for hire, in taxi type service and hold themselves out to do so, even though they do not hold authority from the PUC to do so and it violates the PUC's luxury limousine rules.

For several months drivers and the owner of Durango Taxi LLC have observed Animas Transportation soliciting walk up fares in front of "The Ranch" in Durango, Colorado. "The Ranch" is a local drinking establishment in Durango, Colorado. Specific drivers observing soliciting of fares include but are not limited to: Milton Jay Williams (Owner), Michael Glasby, Thomas Haderthower, Landy Webb, and Justin Aukerman.

On the night of March 21, 2014, after watching several walk ups taken away right in front of Durango Taxi LLC drivers, Milton Williams turned on his phone's camera and approached Animas Transportation (Don Tunick) and asked for a ride to a local destination.

Video of the encounter and subsequent ride are on the original device and have been copied to the internet for easier viewing. Please see the Attachment 1 for more information:

Attachment 1: a written record by Milton Jay Williams of the encounter

Attachment 2: The business card given to Milton Jay Williams by Don Tunick

Attachment 3: Photos of Animas Transportations vehicle after it returned to "The Ranch" on the night of March 21, 2014 and continued to solicit.

Attachment 4: Durango Taxi LLC's Certificate of Authority L14196

Attachment 5: Animas Transportation's Luxury Limousine Permit LL-01961

COLORADO PUBLIC UTILITIES COMMISSION - Formal Complaint Form

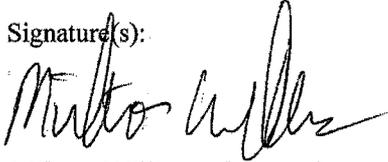
4. City or town where you would like to have your hearing.
Denver, Colorado

List of unavailable hearing dates for the next 90 days (excluding holidays and weekends).

4/17, 4/18, 4/21, 4/28, 5/4, 5/5, 5/12, 5/15, 5/19, 5/26, 6/4-6/9, 6/16, 6/19,
6/23, & 6/30

5. I (We) ask(s) that the Commission enter an Order granting whatever relief the Commission deems legally appropriate. I (We) hereby acknowledge that I (we) will cooperate in the prosecution of this Complaint and will appear at any hearing if the Complaint is set for hearing.

Signature(s):



Milton Williams (owner)

Attorney (if applicable):

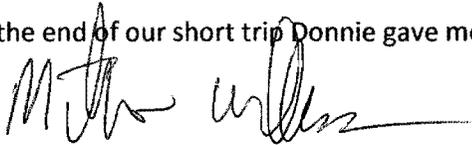
6. Dated at DURANGO, Colorado, this 07 day of APRIL, 20 14.

Attachment #1

On the night of March 21, 2014 I was out checking up on my drivers on Main Avenue. I observed Animas Transportation sitting in front of the Ranch soliciting passengers. I decided to approach Animas Transportation and ask for a ride. I walked up and asked Donnie how much to Mountain Sun on Florida Road (a very common destination for night walk ups). Justin Aukerman and Thomas Haderthower, 2 Durango Taxi LLC Drivers, witnessed me approach the vehicle and negotiate at the window and leave in Animas Transportation's vehicle.

Donnie gave me a price on the spot and I stated I had a 20. I got in and we proceeded to Mountain Sun. On the way I asked him his name and about the cab (if it was his) and he praised the Chevy Suburban we were in snow abilities. I identified myself by my middle name (Jay).

At the end of our short trip Donnie gave me a card with his personal cell phone on it.

A handwritten signature in black ink, appearing to read 'Milton Williams', with a long horizontal flourish extending to the right.

Milton Williams

March 22, 2014

Appendix B, Decision No. F 14-0419-I
Proc. 14F-0313EC, Page 5 of 13



Anima's Transportation

Taking you where you want to go

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- *Corporate / Business Travel* • *Airport Transportation*

970-259-1315

www.animastransportation.com

Attachment #2

Driver:

Donnie

Date:

769-4248

Amount:

Attachment #3



Attachment #3



Attachment #3



LETTER OF AUTHORITY

ISSUED TO:

Certificate Number: L14196

Durango Taxi LLC
121 West 32nd Street Suite C
Durango, CO 81301

(I) Transportation of passengers in call-and-demand taxi, call-and-demand charter, call-and-demand shuttle, and, scheduled service between all points in the County of La Plata, State of Colorado.

RESTRICTIONS:

(A) The scheduled service authorized by Item No.

(I) is restricted to providing service only to those points named in the carrier's schedule on file with the Colorado Public Utilities Commission.

(B) The scheduled service authorized by Item No.

(I) may not be "tacked" with any other authority that is not part of this leased authority.

(C) Item No.

(I) is restricted against providing any call-and-demand taxi, call-and-demand charter, on call-and-demand shuttle service that originates or terminates at the La Plata County Airport.

(II) Transportation of passengers in call-and-demand taxi, call-and-demand charter, and call-and-demand shuttle service between the La Plata County Airport located southeast of Durango, Colorado, on the one hand, and all points located within a 100-mile radius of the intersection of U.S. Highway Nos. 160 and 550 in Durango, Colorado, on the other hand.

RESTRICTIONS:

(A) Item No.

(II) is restricted against service to or from points in the Counties of Montrose, Delta, Mesa, and Gunnison, except service authorized to and from the Montrose County Airport, near Montrose, Colorado.

LETTER OF AUTHORITY

(B) Item No.

(II) is restricted against having an office or an agent employed in Pagosa Springs, Colorado.

(III) Transportation of passengers in call-and-demand taxi, call-and-demand charter, and call-and-demand shuttle service between all points in the County of San Juan, State of Colorado, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.

RESTRICTIONS:

(A) Item No.

(III) is restricted against providing any call-and-demand taxi, call-and-demand charter, or call-and-demand shuttle service that originates or terminates at the La Plata County Airport.

(B) Item No.

(III) is restricted against providing transportation that originates in the Counties of Adams, Arapahoe, Boulder, Denver, Douglas, and Jefferson, State of Colorado.

(C) Item No.

(III) is restricted against having an office or an agent employed in Pagosa Springs, Colorado.

Decision No: C13-0812
Issue Date: Sept. 5, 2013

Attachment #5

**COLORADO PUBLIC UTILITIES COMMISSION
CERTIFICATE OF REGISTRATION AS A
LUXURY LIMOUSINE CARRIER BY MOTOR VEHICLE**

REGISTRATION NO. LL-01961

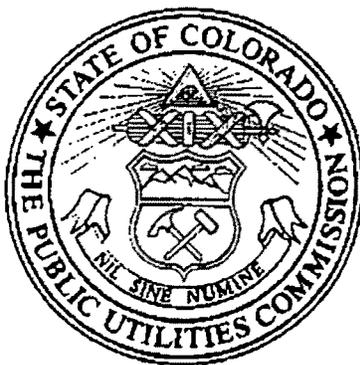
Sandra Nadolny
dba Animas Transportation
189 St Andrews Circle
Durango, CO 81301

In compliance with the provisions of Section 40-16-103, C.R.S., the commission does grant authority to the above named carrier to transport passengers, between all points in the State of Colorado, by motor vehicle for hire. A copy of this certificate of registration must be carried in all motor vehicles.

Full compliance with the laws of the State of Colorado, the rules and regulations of the Commission, and the rules and regulations of the Colorado State Patrol is required under this registration.

This Certificate of Registration is continuous until canceled or revoked.

Activation Date: June 7, 2011.



WITNESS MY HAND AND THE SEAL OF
THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Doug Dean

DOUG DEAN
DIRECTOR

April 10, 2014

Durango Taxi LLC
121 West 32nd Street Suite C
Durango, CO 81301

RE: Proceeding No. 14F-0313EC
Durango Taxi LLC v. Animas Transportation

To Whom It May Concern:

Your formal complaint is set for hearing. I have enclosed a notice that tells you the date, time, and place of your hearing along with a copy of an “Order to Satisfy or Answer” that was sent to the utility company with a copy of your complaint.

If you are not represented by an attorney, it is important that you become familiar with the process of a formal complaint and how a formal PUC hearing is conducted. An enclosed publication, called “Formal Complaint Procedures”, is designed to help you. It includes a pre-hearing procedures check list, a hearing procedures check list, a post-hearing procedures check list, and a glossary of terms.

Although the hearing may take place in a less formal setting than a courtroom, it is much like a court hearing or trial. An Administrative Law Judge (ALJ) will hear the case, and a court reporter will make a record of the proceeding.

If you have questions about any of the procedures explained in this publication, contact Harris Adams at 303-894-2840. He will not give you legal advice, but can answer your questions about the formal complaint process.

You should anticipate that the utility company will be represented by an attorney. As an individual, you may represent yourself. You will have to follow the same rules of evidence as the utility’s attorney and you will have the same rights as the utility. The ALJ will see that a fair hearing is conducted, but cannot help one side or the other. There will be no one from the Commission to assist you at the hearing.

The burden is on you, as the complaining party, to prove your case. The utility is not required to defend itself or to present any evidence until you have presented evidence against it.

Sincerely,

Doug Dean
Doug Dean
Director