

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0595BP

IN THE MATTER OF THE APPLICATION OF A&F, DOING BUSINESS AS A&F TRANS,
FOR A PERMIT TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR
HIRE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
PAUL C. GOMEZ
ADOPTING PROCEDURAL SCHEDULE**

Mailed Date: August 25, 2014

I. STATEMENT

1. On June 3, 2014, A&F, doing business as A&F Trans (Applicant) filed an application for permit to operate as a contract carrier by motor vehicle for hire (Application).

2. On June 16, 2014, the Commission issued notice of the Application as follows:

For authority to operate as a contract carrier by motor vehicle for hire for the transportation of

passengers

between all points in the Counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, and Jefferson, State of Colorado.

RESTRICTIONS: This application is restricted:

- (A) to the transportation of passengers who are recipients of Medicaid; and
- (B) to providing non-emergent medical transportation (NEMT) to the Colorado Department of Health Care Policy and Financing, 1570 Grant Street, Denver, Colorado.

3. On June 20, 2014, Applicant amended the Application by including a confidential copy of its financial statements pursuant to a Deficiency Letter issued by Commission Staff on June 10, 2014.

4. The intervenors in this proceeding are MKBS, LLC, doing business as Metro Taxi (Metro), and Colorado Cab Company LLC, doing business as Denver Yellow Cab, Boulder Yellow Cab, and Colorado Springs Transportation, LLC (collectively, Colorado Cab).

5. By Interim Decision No. R14-0984-I issued August 5, 2014, a pre-hearing conference was scheduled for August 21, 2014.

6. At the scheduled date and time the pre-hearing conference was held. Appearances were entered by Applicant, Metro, and Colorado Cab.

7. After some discussion, it was agreed that a hearing on the Application will be scheduled for December 11 and 12, 2014. The deadline for Applicant to file its complete witness and exhibit lists will be October 24, 2014. The deadline for Metro and Colorado Cab to file their complete witness and exhibit lists will be November 14, 2014.

8. The testimony in this proceeding will be presented through oral testimony at the evidentiary hearing. For each witness (except a witness offered in rebuttal), a summary of testimony will be filed in advance of the hearing on the dates indicated above. The summary of testimony will include at least the following information: (a) the witness's name; (b) the witness's address; (c) the witness's business telephone number; (d) a statement of the content of the witness's expected testimony.

9. Rebuttal testimony may be presented at the hearing without the necessity of filing in advance of the hearing, a detailed summary of the rebuttal testimony.

10. With the exception of a witness offered in rebuttal, a witness may not be permitted to testify unless a summary of the testimony of that witness has been filed in advance of the hearing in accordance with this Decision.

11. Complete copies of all exhibits (except an exhibit offered in rebuttal) will be filed in advance of the hearing. (*See* filing dates in procedural schedule above) With the exception of an exhibit offered in rebuttal, an exhibit will not be admitted unless it has been filed in advance of the hearing in accordance with this Decision.

12. Commission Rule 4 *Code of Colorado Regulations* 723-1-1100 of the Commission's Rules of Practice and Procedure, will govern the treatment of information and documents claimed to be confidential.

II. **ORDER**

A. **It Is Ordered That:**

1. The procedural schedule set out above is adopted.
2. An evidentiary hearing is scheduled as follows:

DATES: December 11 and 12, 2014

TIME: 9:00 a.m. each day

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

3. The parties shall be held to the advisements in this Decision.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PAUL C. GOMEZ

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director