

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0124CP

IN THE MATTER OF THE APPLICATION OF PALI-TOURS LTD 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
VACATING HEARING**

Mailed Date: July 29, 2019

I. STATEMENT

A. Summary

1. This Decision vacates the evidentiary hearing scheduled for July 30, 2019 in Grand Junction, Colorado, based on San Miguel Mountain Ventures, LLC, doing business as Telluride Express's (TEX) Unopposed Motion to Vacate, and Pali-Tours Ltd.'s (Pali) waiver of the statutory deadline under § 40-6-109.5(2), C.R.S., for a Commission decision to issue.

B. Procedural History

2. Pali initiated this matter through its verified Application for Permanent Authority to Operate as a Common Carrier by Motor Vehicle for Hire (Application) on March 8, 2019. TEX timely intervened of right and is the only intervener in this proceeding.

3. At a prehearing conference held on May 29, 2019, the parties agreed to, and the Administrative Law Judge (ALJ) scheduled a hearing on the merits of the Application to be held in Grand Junction on July 30, 2019 at 9:00 a. m. Decision No. R19-0458-I. The specific location in Grand Junction for the hearing was noticed by Decision No. R19-0522-I.

4. On July 26, 2019, TEX filed an Unopposed Motion to Vacate Hearing on Merits of Application Scheduled for July 30, 2019 at 9:00 a.m. (Motion). As grounds, the Motion states that the parties have reached a settlement in principle and intend to make filings to amend the authority sought and withdraw the intervention by July 30, 2019. Motion at 1.

5. On July 29, 2019, Pali filed “. . . Waiver of Statutory Deadline of Statutory Deadline for Final Commission Decision” (Waiver) indicating that it waives the statutory deadline for a final Commission decision to issue. Waiver at 1. In the Waiver, Pali reiterates that the parties have reached a settlement in principle and anticipate making filings which resolve this matter by July 30, 2019. The ALJ accepts Pali’s waiver of the statutory deadline under § 40-6-109.5(2), C.R.S., for a final Commission decision to issue.

6. Given that Pali has waived the statutory deadline for a final Commission decision to issue, the parties’ statements that they have reached an agreement in principle resolving their disputes, and the unopposed request to vacate the hearing, the ALJ finds good cause to vacate the July 30, 2019 hearing. The ALJ will vacate the hearing.

II. ORDER

A. It Is Ordered That:

1. The hearing scheduled for July 30, 2019 at 9:00 a.m. is vacated.
2. Pali-Tours Ltd.’s waiver of the statutory deadline under § 40-6-109.5(2), C.R.S., for a final Commission decision to issue is accepted and the deadline is waived.

3. 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