

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0341CP

IN THE MATTER OF THE APPLICATION OF BLUE21 LLC DOING BUSINESS AS BLUE SHUTTLE 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
STEVEN H. DENMAN
VACATING REMOTE
PREHEARING CONFERENCE**

Mailed Date: October 27, 2020

I. STATEMENT

A. Procedural History

1. On August 19, 2020, Blue21 LLC, doing business as Blue Shuttle (Applicant), filed an Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire (Application). That filing commenced this proceeding.

2. The procedural history of the above captioned proceeding is set forth in Decision No. R20-0729-I (issued on October 12, 2020) and is repeated here only if needed to put this Decision into context.

3. By Decision No. R20-0729-I, the Administrative Law Judge (ALJ) scheduled a remote prehearing conference in this proceeding for October 27, 2020 at 9:30 a.m.

4. On October 26, 2020, Applicant filed an additional restrictive amendment to its Application, restating the authority now sought, as follows:

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

passengers in call-and-demand charter service and call-and-demand shuttle service

between points in the Counties of Boulder, Douglas, El Paso, Elbert, Fremont, Larimer, Park, Pueblo, Teller, and Weld, on the one hand, and Denver International Airport, on the other hand.

RESTRICTIONS:

- (1) Restricted to providing transportation service to or from Denver International Airport, Denver, Colorado.
- (2) Restricted against any transportation service that originates or terminates within a 12-mile radius of the intersection of U.S. Highways 34 and 36 in Estes Park, Colorado.
- (3) Restricted against providing any transportation service that originates or terminates within a 4-mile radius of the intersection of 4th Avenue and Broadway Street in Lyons, Colorado.

5. Also on October 26, 2020, counsel for Estes Valley Transport, Inc. (Estes Valley Transport), the only intervenor in this proceeding, contacted the ALJ advising him that the additional restrictive amendment to the Application satisfies its interests in this proceeding, and that, if the restrictive amendment were accepted by the Commission, Estes Valley Transport would withdraw its intervention.¹

6. Since Applicant and Estes Valley Transport have resolved their differences over the Application, there is no reason to hold the remote prehearing conference.

¹ Counsel for Estes Valley Transport should file a pleading, stating its position on the additional restrictive amendment and the amended Application.

7. The remote prehearing conference will be vacated in order to conserve the resources of the Commission and the parties. By email sent on October 26, 2020, the ALJ advised the parties that the remote prehearing conference will be vacated.

8. The merits of the Application will be addressed in a future Recommended Decision.

II. ORDER

A. It Is Ordered That:

1. The prehearing conference in this proceeding, scheduled for October 27, 2020 at 9:30 a.m., is hereby vacated.

2. The merits of the Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire, filed by Blue21 LLC, doing business as Blue Shuttle, on August 19, 2020, will be addressed in a future Recommended Decision.

3. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

STEVEN H. DENMAN

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director