

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04L-263CP

RE: IN THE MATTER OF THE APPLICATION OF RDS TRANSPORTATION, LTD. DOING BUSINESS AS YELLOW CAB COMPANY OF COLORADO SPRINGS TO PUBLISH A FUEL SUPPLEMENT PASSENGER TARIFF NO. 32, TO BECOME EFFECTIVE ON LESS-THAN-STATUTORY NOTICE.

**COMMISSION ORDER GRANTING TARIFF CHANGES
ON LESS-THAN-STATUTORY NOTICE**

Mailed Date: June 11, 2004
Adopted Date: June 8, 2004

I. BY THE COMMISSION:

A. Statement

1. On May 21, 2004, RDS Transportation, LTD. doing business as Yellow Cab Company of Colorado Springs ("Yellow Cab") filed an application for authority to publish a fuel supplement increase to Passenger Tariff Number 32 to become effective on less-than-statutory notice. Yellow Cab provides passenger service between points in El Paso, Colorado.

2. Yellow Cab proposes a forty-cent fuel surcharge to every trip. The proposed surcharge will expire 60 days from the effective date of the fuel supplement filing. The proposal will add a 5.9 percent cost increase to the average trip.

3. In support of the application Yellow Cab states that fuel costs to the drivers has increased substantially since the beginning of the year. Yellow Cab drivers must pay for the fuel themselves. Yellow Cab represents under oath that the entire surcharge would accrue to the benefit of its drivers.

4. Rule 31(f)(1) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, allows an order authorizing carriers to change tariffs or time schedules on less-than-statutory notice for good cause shown.

5. The Commission finds that good cause has been shown for the approval of the proposed forty-cent increase on a per trip basis to the rates in Passenger Tariff No. 32 and that the application should be granted. Because the Commission is uncertain about the duration of elevated fuel prices, the supplement should have an expiration date of 60 days from the effective date of the supplement. We also hold Yellow Cab to its promise that its drivers will receive the benefit of the entire surcharge.

II. ORDER

A. The Commission Orders That:

1. The application of RDS Transportation, LTD. doing business as Yellow Cab Company of Colorado Springs to publish a fuel supplement to Passenger Tariff No. 32 on less-than-statutory notice is granted.

2. Fuel Supplement Number One to Passenger Tariff No. 32, 1) shall be published on not less than one day's notice to the Commission and the general public, 2) shall be filed immediately, 3) and shall be published to expire 60 days from the effective date of the supplement.

3. The 20-day time-period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, re-argument, or reconsideration shall begin on the first day after the Commission mails or serves this Order.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
JUNE 8, 2004.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners

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