

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-502CP-ETA

THE APPLICATION OF JOHN C. SAVILLE DOING BUSINESS AS THE TAXI COMPANY FOR EMERGENCY TEMPORARY AUTHORITY TO CONDUCT OPERATIONS AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY**

Mailed Date: October 14, 2004
Adopted Date: October 14, 2004

I. BY THE COMMISSION:

A. Statement, Findings and Conclusions

1. On October 7, 2004, John C. Saville doing business as The Taxi Company (Taxi Company), filed an application for emergency temporary authority to conduct operations as a common carrier by motor vehicle for hire for the transportation of passengers and their baggage, in taxi service, between all points in Las Animas County, State of Colorado, and between said points, on the one hand, and all points in the Counties of Douglas, El Paso, Huerfano, and Pueblo, State of Colorado, on the other hand.

2. Pursuant to § 40-6-120(1), C.R.S., the Commission is authorized to grant temporary authority when "there appears to be an immediate and urgent need to any point or within a territory having no carrier service capable of meeting such need." Section 40-6-120(4), C.R.S., further states: "If the Commission is of the opinion that an emergency exists, it may issue temporary authority or approval at once by making specific reference in its order to the

circumstances constituting the emergency, in which case no notice need be given, but any such emergency authority or approval shall expire no later than thirty days after it was issued."

3. Taxi Company must meet a two-fold test: first, that there is an emergency need for the transportation services, and second, that there is no existing carrier capable of meeting the need. If Taxi Company fails to meet either test, the application must be denied.

4. Nine letters were submitted in support of this application. The authors of the letters generally state that there is currently no taxi service available in Trinidad, Colorado, or in Las Animas County, and there is a need for such service. Specific statements included in the letters are "I own an auto repair service in Trinidad and I would like to state that a taxi service is badly needed here in town." "I work the graveyard shift at the truck stop here in Trinidad and always have requests for rides or taxi service from the truck stop into town. There is no service available at this time and we need one." "I have lived in and out of Trinidad for over 15 years and for the last three years have not known there to be a reliable taxi service in Trinidad or the county. There is a great need for one." "A significant portion of our population is elderly. Many of these folks cannot drive. Public transportation is available during normal business hours. However, there is no local public or commercial transportation available during the evening and early morning hours."

5. The Commission finds that an emergency need for the requested transportation services has been shown to exist, and no other carrier has been shown to be capable of providing the service.

6. Taxi Company has adequate equipment and financial resources to begin immediate service within the scope of the authority sought.

7. This application for emergency temporary authority is in the public interest.

8. Taxi Company is advised that the grant of an emergency temporary authority creates no presumption that either a temporary or permanent authority will be granted.

II. ORDER

A. The Commission Orders That:

1. Taxi Company is granted emergency temporary authority to conduct operations as a common carrier by motor vehicle for hire for a period of 30 days commencing from the Mailed Date of this Order, with authority as set forth in the Appendix.

2. Taxi Company shall operate in accordance with all applicable Commission rules and regulations.

3. Taxi Company shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Taxi Company shall also file the proper tariff and pay the appropriate vehicle identification fee. Taxi Company may not begin operations until these requirements have been met and it has received notice in writing from the Commission stating that it is in compliance and may begin service.

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

5. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING
October 14, 2004**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Transportation of passengers and their baggage, in taxi service, between all points in Las Animas County, State of Colorado, and between said points, on the one hand, and all points in the Counties of Douglas, El Paso, Huerfano, and Pueblo, State of Colorado, on the other hand.