

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 04A-502CP-TA

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

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**COMMISSION ORDER GRANTING  
TEMPORARY AUTHORITY IN PART**

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Mailed Date: October 29, 2004

Adopted Date: October 27, 2004

**I. BY THE COMMISSION:**

**A. Statement**

1. On October 7, 2004, John C. Saville doing business as The Taxi Company (Taxi Company), filed an application for 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. The Commission gave notice of the application on October 18, 2004.

3. RDSM Transportation, LTD., doing business as Yellow Cab Company of Colorado Springs (Yellow Cab) filed an intervention in opposition to this application. Yellow Cab under Certificate of Public Convenience and Necessity (CPCN) PUC No. 109 may provide the following transportation service:

Transportation of passengers and their baggage, in taxi service: (I) between all points within the Counties of El Paso and Teller, State of Colorado, and from said points, on the one hand, to all points within the State of Colorado, on the other hand; and (II) from all points in the City and County of Denver, to all points within the Counties of El Paso and Teller, State of Colorado.

4. 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."

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

**B. Findings of Fact**

6. 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."

7. Yellow Cab may provide taxi service from points in El Paso County to points in Las Animas County. Yellow Cab may not provide taxi service between points in Las Animas County or from points in Las Animas County to points in El Paso County.

8. The authors of the support letters do indicate a need for taxi service between points in Las Animas County. The authors of the support letters do not specifically state there is a need for service from points in El Paso County to points in Las Animas County. Therefore, the Commission finds that The Taxi Company has not shown there is an immediate need for taxi service from points in El Paso County to points in Las Animas County.

9. The Commission is aware that no passenger carrier is currently providing taxi service between points in Las Animas County or from points in Las Animas County to any other points in the State of Colorado. Therefore, the Commission finds that there is an immediate need for service between points in Las Animas County and between points in Las Animas County and certain other points in the State of Colorado.

### **C. Conclusions**

10. The Commission finds that an immediate and urgent need for a portion of the requested transportation services has been shown to exist, and it has not been shown that there are other carriers capable of providing this service.

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

12. This application for temporary authority is in the public interest.

13. The Taxi Company is advised that the grant of a temporary authority creates no presumption that a permanent authority will be granted.

**II. ORDER****A. The Commission Orders That:**

1. The Taxi Company is granted temporary authority to conduct operations as a common carrier by motor vehicle for hire for a period of 150 days commencing from the Mailed Date of this Order, with authority as set forth in the Appendix.

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

3. The Taxi Company shall not begin operations until it has filed the proper tariff and notice it has received notice in writing from the Commission stating that it is in compliance and may begin service.

4. If the Taxi Company does not comply with the requirements of this Order within 30 days of its effective date, then the temporary authority shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within the 30 days.

5. 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.

6. This Order is effective on its Mailed Date.

**B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING  
October 27, 2004.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners

Transportation of passengers and their baggage, in taxi service: (I) 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; and (II) from all points in Las Animas County, State of Colorado, to all points in El Paso County, State of Colorado.