

Decision No. R04-1069-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-050BP

IN THE MATTER OF THE APPLICATION OF SUPERIOR CARE & TRANSPORTATION, INC., 15678 EAST QUINCY LANE, AURORA, COLORADO 80015, FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
GRANTING FOURTH REQUEST FOR
ADDITIONAL TIME TO COMPLY**

Mailed Date: September 9, 2004

I. STATEMENT

1. By Recommended Decision No. R03-1233, Superior Care & Transportation, Inc. (Superior Care), was granted a permit to operate as a contract carrier by motor vehicle for hire. The Recommended Decision became the decision of the Commission on November 20, 2003.

2. On January 4, 2004, Superior Care made a request for additional time within which to comply with the requirements established in Decision No. R03-1233 and the stipulation incorporated into that Decision by reference. The request was granted by Decision No. R04-0034-I. That Order extended the time for compliance to and including March 9, 2004, and placed conditions on the extension.

3. On March 4, 2004, Superior Care made a request for a further enlargement of time within which to comply with the requirements of Decision No. R03-1233. The request was granted by Decision No. R04-0228-I. That Order extended the time for compliance to and including July 1, 2004, and placed conditions on the extension of time.

4. On June 29, 2004, Superior Care filed a request for a further enlargement of time within which to comply with the requirements of Decision No. R03-1233. The request was granted by Decision No. R04-0731-I. That order extended the time for compliance to and including September 1, 2004, and placed conditions on the extension of time.

5. On August 31, 2004, Superior Care filed a request for a further enlargement of time within which to comply with the requirements of Decision No. R03-1233. As the basis for its request, Superior Care states that Arapahoe County, the party with which it has contracted to provide transportation services pursuant to its permit, recently has stopped contracting with new companies due to a reorganization process now underway. In addition, it appears that Arapahoe County will not contract with new companies until the reorganization is completed. Superior Care wants to contract with Arapahoe County for transportation services and believes that it will be able to do so when the Arapahoe County reorganization is completed. Apparently to conserve money, Superior Care has not yet complied with some of the requirements established as preconditions to operating under its permit. Superior Care seeks a 60-day enlargement of time (that is, to and including November 1, 2004) to fulfill the requirements.

6. The request states good cause. No party will be prejudiced by the granting of the request. It appears that Arapahoe County will not use Superior Care's transportation services for an unspecified time into the future. As a result, the Administrative Law Judge will grant an extension of time to and including November 1, 2004, *provided* Superior Care does not operate under the authority granted by Decision No. R03-1233 until such time as Superior Care has complied fully with the requirements set out below.

II. ORDER**A. It Is Ordered That:**

1. The request for an extension of time to comply with the requirements of Decision No. R03-1233 is granted.

2. Superior Care & Transportation, Inc., is granted an extension of time to and including November 1, 2004, within which to comply with the requirements of Decision No. R03-1233, *on the condition that* Superior Care & Transportation, Inc., shall not provide any transportation service pursuant to the authority granted by Decision No. R03-1233 unless and until Superior Care & Transportation, Inc., has complied in full with the requirements set out in Ordering Paragraphs 3, 4, and 5 of this Order.

3. Superior Care & Transportation, Inc., shall file an appropriate tariff with the Commission.

4. Superior Care & Transportation, Inc., shall cause to be filed with the Commission certificates of insurance as required by Commission rules.

5. Superior Care & Transportation, Inc., shall pay the issuance fee and annual vehicle identification fees.

6. If Superior Care & Transportation, Inc., does not comply with the requirements of Ordering Paragraphs 3, 4, and 5, above, on or before November 1, 2004, then the authority granted to Superior Care & Transportation, Inc., by Decision No. R03-1233 shall be void. On good cause shown, the Commission may grant additional time for compliance.

7. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge

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