

Decision No. R12-0928

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 12A-498CP

IN THE MATTER OF THE APPLICATION OF RASHCO LIMOUSINE COMPANY FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A
COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**R RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
PAUL C. GOMEZ
CONSTRUING LETTER AS MOTION
TO DISMISS APPLICATION; GRANTING
MOTION; AND CLOSING DOCKET**

Mailed Date: August 9, 2012

I. STATEMENT

1. On May 11, 2012, Rashco Limousine Company (Applicant) filed an application for a certificate of public convenience and necessity to provide call-and-demand limousine service between all points in the City and County of Denver. (Application).

2. On May 21, 2012, the Commission issued notice of the Application as follows:

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

passengers in call-and-demand limousine service

between all points in the City and County of Denver, State of Colorado.

RESTRICTIONS:

(1) to the use of use of no more than one (1) vehicle at any one time.

3. SuperShuttle International Denver, Inc., and Colorado Cab Company LLC, doing business as Denver Yellow Cab intervened in this matter.

4. At the Commissioners' regular Weekly Meeting of June 27, 2012, the Application was deemed complete and referred to an Administrative Law Judge (ALJ) for disposition. The matter was subsequently assigned to the undersigned ALJ.

5. On August 7, 2012, Applicant filed a notice of withdrawal of its Application. The notice will be construed as a motion to withdraw Application. Good cause is found to grant the motion pursuant to Commission Rule 4 *Code of Colorado Regulations* 723-1-1309(d) of the Rules of Practice and Procedure, as no party will be prejudiced by the withdrawal. The Application will be dismissed without prejudice.

II. ORDER

A. The Commission Orders That:

1. The motion of Rashco Limousine Company to dismiss its application for a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire is granted.

2. The application of Rashco Limousine Company is dismissed without prejudice.

3. The docket is now closed.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

5. As provided by § 40-6-106, C.R.S., copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.

a.) If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the recommended decision is stayed by the Commission upon its own motion, the recommended decision shall become the decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.

b.) If a party seeks to amend, modify, annul, or reverse a basic finding of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in § 40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge; and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

6. If exceptions to this Recommended Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PAUL C. GOMEZ

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director