

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13V-1403CP

IN THE MATTER OF MKBS, LLC D/B/A METRO TAXI &/OR TAXIS FIESTA &/OR SOUTH SUBURBAN TAXI &/OR NORTHWEST SUBURBAN TAXI'S PETITION FOR WAIVER/VARIANCE OF COMMON/CONTRACT CARRIER RULES AND MOTION TO SHORTEN NOTICE PERIOD.

**INTERIM DECISION GRANTING
REQUEST FOR SHORTENED NOTICE**

Mailed Date: January 10, 2014

Adopted Date: January 8, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a request filed on December 31, 2013 by MKBS, LLC, doing business as Metro Taxi &/or Taxis Fiesta &/or South Suburban Taxi &/or Northwest Suburban Taxi (Metro Taxi), to shorten the Commission notice period to ten days (Shortened Notice Request). The Shortened Notice Request was submitted concurrently with Metro Taxi's Petition for a Waiver/Variance (Petition) from Commission Rules 723-6-6255(a)(III)-(VII) of the Commission's Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6.

B. Findings and Conclusions

2. Through the Shortened Notice Request, Metro Taxi seeks to shorten notice from 30 days to 10 days from the date the Commission issues the notice of the Petition.

3. In support of its Shortened Notice Request, Metro Taxi states that the Petition has been discussed with Commission Transportation Staff in advance. Metro Taxi also states that the

other taxi companies affected by Rules 6255(a)(III)-(VII) are having similar difficulties achieving compliance and are likely to request waivers as well, and that the interested parties are therefore unlikely to have any objections.

4. Rule 1401(a) of the Commission's Rules of Practice and Procedure, 4 CCR 723-1 states "Except as provided by paragraph (d) of this rule, any person may file a notice of intervention as of right or a motion to intervene by permission within 30 days of notice of any administrative or adjudicatory proceeding, unless the Commission's notice or a specific rule or statute provides otherwise."

5. Rule 1003(a) provides that:

The Commission has promulgated these rules to ensure orderly and fair treatment of all persons. The Commission may, for good cause shown, grant waivers or variances from tariffs, Commission rules, and substantive requirements contained in Commission decisions. In making its determination the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

6. We find that good cause exists to grant Metro Taxi's shortened notice request. The reason for the shortened notice request, and the requested time period are reasonable. The Petition will be placed on the next transportation notice, on January 13, 2014, for a period of ten days. Interventions shall be due at **5:00 p.m. on January 23, 2014.**

II. ORDER

A. **It Is Ordered That:**

1. The request by MKBS, LLC, doing business as Metro Taxi &/or Taxis Fiesta &/or South Suburban Taxi &/or Northwest Suburban Taxi to shorten Commission notice is granted. The notice period for the Petition for Waiver/Variance from Commission Rules 723-6-6255(a)(III)-(VII), 4 *Code of Colorado Regulations* 723-6, shall extend through and including **5:00 p.m. on January 23, 2014.**

2. Any person desiring to intervene or participate as a party in this proceeding, including Staff of the Commission, shall file a petition for leave to intervene, or under the Commission's Rules of Practice and Procedure, file other appropriate pleadings to become a party, by **5:00 p.m. on January 23, 2014.**

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 8, 2014.**

(S E A L)



ATTEST: A TRUE COPY

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

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

Commissioners

COMMISSIONER GLENN A. VAAD
NOT PARTICIPATING.