

Decision No. C14-0095

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13C-1255-INS

IN RE: THE MATTER OF MOTOR CARRIERS LISTED ON APPENDIX A TO THIS
DECISION, RESPONDENTS.

**COMMISSION DECISION MODIFYING
DECISION NO. R13-1472**

Mailed Date: January 24, 2014
Adopted Date: January 22, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a request to reopen this proceeding and reinstate permit filed by High Country Shuttle Inc. (High Country) on January 14, 2014. Being fully advised in this matter and consistent with the discussion below, we grant the request to reopen the proceeding and reinstate the contract carrier permit, subject to the conditions of this Decision.

B. Findings

2. High Country may, pursuant to Certificate of Public Convenience and Necessity (CPCN) PUC No. 55806, provide:

Transportation of
passengers

- (I) in scheduled service between all points within the County of Clear Creek, State of Colorado, on the one hand, and Denver International Airport, on the other hand; and

- (II) in call-and-demand limousine service between all points in the County of Clear Creek, State of Colorado, on the one hand, and the Mountain Family Health Center, 562 Gregory Street, Black Hawk, Colorado, on the other hand.

RESTRICTION:

Item II is restricted against providing transportation services for passengers whose trips are paid for by Medicaid.

3. Pursuant to § 40-10.1-107, C.R.S., and the rules and regulations of the Commission, every motor vehicle carrier of passengers must keep a currently effective proof of financial responsibility on file with the Commission, in the form of proof of liability insurance, proof of surety bond, or proof of self-insurance.

4. High Country's liability insurance was cancelled effective November 19, 2013.

5. Following a hearing held on November 26, 2013, an Administrative Law Judge issued Recommended Decision No. R13-1472, which found that High Country's authority should be revoked for failure to maintain proof of financial responsibility. Recommended Decision No. R13-1472 was mailed on November 27, 2013, and became a decision of the Commission on December 17, 2013.

6. In the request to reopen filed on January 14, 2014, Imre (Jim) Zelizi, the owner of High Country, states:

I have been in service covering the mountain towns of Clear Creek County and providing transportation to and from Denver International Airport for the last 3 years ... The 1st half of 2013 had been financially challenging for me, and for the last 6 months, I have been searching for support from the community to help me cover my insurance costs for 2014. On November 16, 2013, my commercial insurance expired, and I ceased using my van for airport business (all transport for monies stopped) ... With this letter, I am submitting a quote from my PEI Insurance agent (Lee Lusk) for the needed liability insurance from Northland Insurance Company. Once I have confirmation that my Authority is restored, my agent will provide you with the 'Form E' information that is requested.

C. Conclusions

7. Under § 40-6-112(1), C.R.S., “[t]he commission, at any time upon notice to the public utility affected ... may rescind, alter, or amend any decision made by it. Any decision rescinding, altering, or amending a prior decision, when served upon the public utility affected, shall have the same effect as original decisions.”

8. The Commission has considered the request to reopen the proceeding and reinstate High Country’s CPCN under § 40-6-112(1), C.R.S., and finds that good cause exists to grant the Motion and reinstate CPCN PUC No. 55806.

II. ORDER

A. The Commission Orders That:

1. The Request to Reopen Docket and Reinstate Certificate of Public Convenience and Necessity No. 55806 filed by High Country Shuttle Inc. is granted and Certificate of Public Convenience and Necessity PUC No. 55806 is reinstated contingent upon High Country Shuttle Inc. having the appropriate proof of insurance filed with the Commission within 14 days of the effective date of this Decision.

2. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 22, 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

GLENN A. VAAD

Commissioners