

Decision No. C14-0406-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0328CP

IN THE MATTER OF THE PETITION OF MILE HIGH CAB, INC. FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF RULE 6007(A) OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6, AND REQUEST FOR SHORTENED NOTICE.

**INTERIM COMMISSION DECISION
GRANTING SHORTENED NOTICE**

Mailed Date: April 17, 2014
Adopted Date: April 16, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Petition for Waiver and Related Relief from Provisions of Rule 6007 of the Rules and Regulations Governing Common Carriers Regarding Minimum Limits of Liability Coverage Together with Request for 10 Day Notice (Petition) filed on April 10, 2014, by Mile High Cab, Inc. (Mile High Cab).

B. Findings and Conclusions

2. On December 10, 2013, by Recommended Decision No. R13-1518 in Proceeding No. 08A-407CP, Mile High Cab was granted authority to provide:

Call-and-demand taxi service: 1) between all points within the area comprised of the Counties of Adams, Arapahoe, Denver, Douglas, and Jefferson, State of Colorado; (2) from said points, on the one hand to all points in the Counties of Boulder, Broomfield, and El Paso, State of Colorado; and (3) from all points in the City and County of Denver, State of Colorado to all points in the state of Colorado. This authority is restricted to the use of a maximum of 150 vehicles in service at any time.

3. On December 30, 2013, Colorado Cab Company, LLC filed Exceptions to Recommended Decision No. R13-1518. MKBS, LLC, doing business as Metro Taxi, also on December 30, 2013, filed a Motion Joining in the Exceptions to Recommended Decision No. R13-1518 filed by Colorado Cab Company, LLC.

4. On March 21, 2014, the Commission in Decision No. C14-0304 denied the exceptions filed on December 30, 2013, filed by Colorado Cab Company, LLC.

5. Ordering Paragraph (3)(a) of Decision No. C14-0304 states Mile High Cab shall not commence operations until it has caused proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission.

6. Ordering Paragraph (4) of Decision No. C14-0304 states Mile High Cab has 60 days from the March 21, 2014, effective date of Decision No. C14-0304 to file the proof of insurance or surety bond.

7. Rule 6007(a) (Financial Responsibility) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6 requires that a common carrier operating vehicles with a seating capacity of eight passengers¹ or less must obtain and file with the Commission liability insurance of a combined single limit liability of \$1,500,000 for these vehicles.²

8. Rule 1206(d) (Commission Notice) of the Rules of Practice and Procedure, 4 CCR 723-1 requires that the intervention period for a notice mailed by the Commission shall

¹ A taxicab is defined in Rule 6201(q) as a motor vehicle with a seating capacity of eight or less, including the driver, operated in taxi service.

² The rule amendments adopted in Proceeding No. 13R-0009TR on February 14, 2014, increased the minimum level of liability insurance coverage for common carriers operating vehicles with a seating capacity of eight passengers or less from \$500,000 to \$1,500,000.

expire 30 days after the mailing date. In this Petition, Mile High Cab requests that the 30-day notice period be shortened to 10 days.

9. 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.

10. 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.

11. The Commission is aware that the increased insurance requirements named in Rule 6007(a) may result in an increase in insurance policy costs for carriers providing taxi service. Therefore, we find that good cause exists to grant Mile High Cab's shortened notice request. The notice period for this Petition will be shortened to ten days.

II. ORDER

A. It Is Ordered That:

1. The request by Mile High Cab, Inc. to shorten the notice period for the Petition for a Waiver from Rule 6007(a) (Financial Responsibility) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6 filed on April 10, 2014, is granted. The notice period shall be ten days.³

2. This Decision is effective upon its Mailed Date.

³ This Petition will be included in the Commission's Notice of Applications Filed as mailed on April 21, 2014. Therefore, the ten-day notice period shall expire at 5:00 p.m. on May 1, 2014.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 16, 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

PAMELA J. PATTON

GLENN A. VAAD

Commissioners

CHAIRMAN JOSHUA B. EPEL
ABSENT.