

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-0955CP-SUSPENSION

IN THE MATTER OF THE APPLICATION OF SCHAFFER-SCHONEWILL
AND ASSOCIATES, INC. D/B/A ENGLEWOOD EXPRESS AND/OR WOLF
EXPRESS SHUTTLE TO VOLUNTARILY SUSPEND CERTIFICATES OF
PUBLIC CONVENIENCE AND NECESSITY NOS. 50790, 52940, AND 55363.

DECISION MODIFYING DECISION NO. R14-0109

Mailed Date: April 30, 2014
Adopted Date: April 30, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Motion to Amend Decision No. R14-0109 (Motion) filed by Schaffer-Schonewill and Associates, Inc., doing business as Englewood Express and/or Wolf Express (Wolf Express) on April 25, 2014. Being fully advised in this matter and consistent with the discussion below we grant the Motion and amend Recommended Decision No. R14-0109 subject to the conditions of this Decision.

B. Findings

2. Wolf Express may, pursuant to Certificate of Public Convenience and Necessity (CPCN) PUC Nos. 50790, 52940 and 55363, provide transportation of passengers in call-and-demand limousine [shuttle] service and scheduled service, with authority more fully described in the CPCNs themselves.

3. On September 3, 2013, Wolf Express filed an application to suspend CPCN PUC Nos. 50790, 52940, and 55363.

4. On January 29, 2014, Wolf Express's application to suspend the above-referenced CPCNs was granted, *nunc pro tunc*, from May 21, 2013 through May 20, 2014, by Recommended Decision No. R14-0109 (Recommended Decision). The Recommended Decision became a Commission Decision pursuant to § 40-6-109(2), C.R.S., on February 17, 2014.

5. Ordering Paragraph No. 11 of the Recommended Decision states that, "On May 21, 2014...Certificate of Public Convenience and Necessity PUC Nos. 50790, 52940 and 55363 shall be administratively reactivated."

6. Ordering Paragraph No. 12 of the Recommended Decision states

Prior to commencing operations, Schafer-Schonewill and Associates Inc., doing business as Englewood Express and/or Wolf Express Shuttle shall: (a) cause proof of insurance or surety bond coverage to be filed with the Commission per Rule 6007, 4 *Code of Colorado Regulations* 723-6; (b) pay to the Commission the applicable vehicle identification fee for each vehicle to be operated under authority granted by the Commission; and (c) ensure that an effective tariff is on file with the Commission, in compliance with applicable Commission rules.

7. On April 25, 2014, Wolf Express filed the Motion. The Motion states that Wolf Express wishes to resume service to the public on May 1, 2014 or as soon as possible after that date, rather than May 21, 2014. The Motion states that Wolf Express will have complied with the conditions of Ordering Paragraph No. 12 of the Recommended Decision on or before May 1, 2014. The Motion states that since the suspension of authorities was unopposed, additional notice and response time to the Motion is not required or necessary.

C. Conclusions

8. 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."

9. The Commission has considered the Motion under § 40-6-112(1), C.R.S., and finds that good cause exists to change the date in Ordering Paragraph No. 11 of the Recommended Decision from May 21, 2014 to May 1, 2014, in order to allow service to the public under the authorities to resume 20 days sooner.

II. ORDER

A. The Commission Orders That:

1. The Motion to Amend Recommended Decision No. R14-0109 filed by Schafer-Schonewill and Associates, Inc., doing business as Englewood Express and/or Wolf Express Shuttle (Wolf Express) is granted and Certificate of Public Convenience and Necessity PUC Nos. 50790, 52940, and 55363 will be administratively reactivated as of May 1, 2014.

2. Prior to commencing operations under Certificate of Public Convenience and Necessity PUC Nos. 50790, 52940 and 55363, Wolf Express shall comply with Ordering Paragraph No. 12 of Recommended Decision No. R14-0109.

3. 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.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 30, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners