

Decision No. C14-0506

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-1143BP

IN THE MATTER OF THE APPLICATION OF COMMUNITY REACH CENTER, INC. FOR A
PERMIT TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE

**COMMISSION DECISION
GRANTING EXTENSION OF TIME**

Mailed Date: May 13, 2014
Adopted Date: May 7, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a letter filed on April 28, 2014, by Toby Maldonado, the registered agent for Community Reach Center, Inc. (Community Reach) requesting that the Commission grant an additional 20 days to comply with the terms of Recommended Decision No. R14-0135 (Decision).

B. Findings

2. On October 24, 2013, Community Reach filed an application for authority to operate as a contract carrier by motor vehicle for hire for the transportation of Medicaid recipients in non-emergency medical transportation (NEMT) for the Colorado Department of Health Care Policy and Financing.

3. The Commission noticed the application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on November 4, 2013. Two interventions were filed against the application; those interventions were subsequently withdrawn and the application was granted on February 5, 2014, by the Decision.

4. The Decision approved the application for contract carrier authority. The Decision also set forth certain requirements to be completed prior to the commencement of operations.

5. Specifically, Ordering Paragraph No. 6 of the Decision states that Community Reach shall not commence operation until the following conditions are met:

Community Reach Center, Inc. shall not commence operations until it has complied with the requirements of Colorado law and Commission regulations, including without limitation:

- (a) causing proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;
- (b) paying to the Commission, the motor vehicle fee (\$5) for each vehicle to be operated under authority granted by the Commission or, in lieu thereof, paid the fee for such vehicle(s) pursuant to the Unified Carrier Registration Agreement;
- (c) having an effective tariff on file with the Commission. Community Reach Center, Inc. shall file an advice letter and tariff on not less than ten days' notice. The advice letter and tariff shall be filed as a new Advice Letter proceeding and shall comply with all applicable rules. In calculating the proposed effective date, the date received at the Commission is not included in the notice period and the entire notice period must expire prior to the effective date. (Additional tariff information can be found on the Commission's website at dora.colorado.gov/puc and by following the transportation common and contract carrier links to tariffs); and
- (d) paying the applicable issuance fee (\$5).

6. Furthermore, Ordering Paragraph No. 7 of the Decision states:

If Community Reach Center, Inc., does not comply with the requirements of Ordering Paragraph No. 6, above, within 60 days of the effective date of this Decision, then Ordering Paragraphs No. 4 and No. 6, above, shall be void. On good cause shown by an appropriate and timely filing made in this Proceeding, the Commission may grant Community Reach Center, Inc., additional time within which to comply with the requirements of Ordering Paragraph No. 6, above.

7. The Decision became effective 20 days after its mailing date, on February 25, 2014. Therefore, Community Reach had until April 28, 2014 (the first business day after the 60 days had elapsed) to comply with the Decision or file a request for additional time. A request for additional time was timely filed on April 28, 2014.

8. In the letter filed on April 28, 2014, Mr. Maldonado states that Community Reach would like to request a 20-day extension to comply with Ordering Paragraph No. 6, specifically the requirement to cause proof of insurance or surety bond coverage to be filed with the Commission.

C. Conclusions

9. The Commission concludes that Community Reach has shown good cause to extend the time for compliance with the requirements of the Decision for an additional 20 days from the original deadline of April 28, 2014.

II. ORDER

A. The Commission Orders That:

1. The request of Community Reach Center, Inc. filed on April 28, 2014 requesting that the Commission grant an additional 20 days for it to complete the requirements set forth in Decision No. R14-0135 is granted.

2. Community Reach Center, Inc. is granted until May 18, 2014 to complete the requirements set forth in Decision No. R14-0135.

3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 7, 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
ABSENT.