

Decision No. C14-0581

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0496BP-EXTENSION-TA

IN THE MATTER OF THE APPLICATION OF WESTERN PARKING MANAGEMENT LLC
FOR TEMPORARY AUTHORITY TO EXTEND OPERATIONS UNDER CONTRACT
CARRIER PERMIT NO. B-09967.

**COMMISSION DECISION GRANTING
TEMPORARY AUTHORITY**

Mailed Date: May 30, 2014
Adopted Date: May 28, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On May 16, 2014, Western Parking Management LLC (Applicant), filed an application for temporary authority to extend operations as a contract carrier by motor vehicle for hire under Contract Carrier Permit No. B-09967.

2. Applicant specifically requests temporary approval to extend its permit for 150 days (as emergency temporary authority was already granted for 30 days for the same extension of authority in Proceeding No. 14A-0418BP-Extension-ETA) to operate as a contract carrier for the following hotels, in service between those hotels and Denver International Airport: The Baymont Inn & Suites, Comfort Suites, Econo Lodge, Quality Inn & Suites, TownePlace Suites by Marriot, and the La Quinta Inn. This authority is described more fully in the Appendix to this Decision.

3. The Commission noticed this petition to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on May 19, 2014, for a period of five days.

4. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is therefore uncontested. Pursuant to § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

5. Pursuant to § 40-10.1-204(1), C.R.S., the Commission is authorized to grant temporary authority when “there appears to be an immediate and urgent need to any point or within a territory having no such service capable of meeting the need.”

6. Applicant must meet a two-fold test: first, that there is an immediate and urgent need for the transportation services, and second, that there is no existing carrier capable of meeting the need. If Applicant fails to meet either test, the application must be denied.

7. In support of the application, Applicant explains that this service was, until recently, provided by Global Transportation. Global Transportation went out of business, and Applicant has taken over the operations of Global Transportation and is therefore the only provider that can continue to provide this service for hotel guests. The letters supporting the application from the hotels state that the service is crucial to the hotels’ business, and is crucial to the experience of the hotels’ guests. The letters further explain that any interruptions in this service would negatively impact the daily operations of the hotels.

8. The Commission finds and concludes that the information submitted with this application shows that an immediate and urgent need for the requested transportation service exists, and that no other carrier has been shown to be capable of providing the service.

9. Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority sought.

10. This application for temporary authority to extend operations is in the public interest.

11. Applicant is advised that the grant of temporary authority to extend operations creates no presumption that permanent authority will be granted.

II. ORDER

A. The Commission Orders That:

1. Western Parking Management LLC is granted temporary authority to extend operations for a period of 150 days commencing on the expiration of the emergency temporary extension of authority on June 7, 2014, with the extension of authority as set forth in the Appendix attached to this Decision.

2. Western Parking Management LLC shall operate in accordance with all applicable Commission rules and regulations.

3. Western Parking Management LLC shall not commence operation under this temporary extension of authority until it has:

- (a) caused proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission in accordance with applicable rules;
- (b) paid 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) filed an advice letter and tariff on not less than five days' notice to the Commission. The advice letter and tariff shall initiate a new Advice Letter proceeding and shall comply with all applicable rules (*see* <http://www.dora.state.co.us/puc/trans/TransFilingTariff.htm>). 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;
- (d) paid the applicable issuance fee (\$5); and,
- (e) received notice in writing from the Commission that it is in compliance with the above requirements and may begin service under the extended authority.

4. 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.

5. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 28, 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