

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0334CP

IN THE MATTER OF THE APPLICATION OF UP FROM ASHES TRANSIT LLC FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A
COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**COMMISSION DECISION GRANTING
PERMANENT AUTHORITY**

Mailed Date: June 16, 2014

Adopted Date: June 11, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On April 14, 2014, Up From Ashes Transit LLC (Applicant) filed an application for permanent authority to conduct operations as a common carrier by motor vehicle for hire. An amendment to the application was filed on May 5, 2014. In general, Applicant requests authority to transport passengers in call-and-demand shuttle service between points in Denver, Colorado and several correctional facilities.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on May 5, 2014.

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

4. The information submitted with this application warrants the granting of the requested common carrier authority. Applicant is a Colorado limited liability company that is in

good standing with the Secretary of State; and, the application includes a sufficient statement of fact and fitness.

5. The present or future public convenience and necessity requires, or will require, the transportation service as requested.

6. Applicant is fit to perform the service as requested.

7. This application for permanent authority is in the public interest and will be granted.

II. **ORDER**

A. **The Commission Orders That:**

1. This application was deemed complete for purposes of § 40-6-109.5, C.R.S., on June 11, 2014.

2. Up From Ashes Transit LLC is granted a Certificate of Public Convenience and Necessity (CPCN) to operate as a common carrier by motor vehicle for hire as set forth in the Appendix attached to this Decision.

3. Up From Ashes Transit LLC shall operate in accordance with all applicable Colorado laws and Commission rules.

4. Up From Ashes Transit LLC shall not commence operation until it has complied with the requirements of Colorado laws and Commission rules, 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. [Up From Ashes Transit LLC 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).

5. If Up From Ashes Transit LLC does not cause proof of insurance or surety bond to be filed, pay the appropriate motor vehicle fees, file an advice letter and proposed tariff, and pay the issuance fee within 60 days of the effective date of this Decision, then the grant of the CPCN shall be void. For good cause shown, the Commission may grant additional time for compliance if the request for additional time is filed within 60 days of the effective date of this Decision.

6. The Commission will notify Up From Ashes Transit LLC in writing when the Commission's records demonstrate compliance with Ordering Paragraph No. 4.

7. 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.

8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 11, 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