

Decision No. C14-0778

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13M-1292TR

IN THE MATTER OF THE PETITION OF LYFT, INC., FOR THE ISSUANCE OF A NOTICE OF PROPOSED RULEMAKING TO PROMULGATE RULES FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES UNDER THE COMMISSION'S RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CODE OF COLORADO REGULATIONS 723-6.

**DECISION DISMISSING PETITION
AND CLOSING PROCEEDING**

Mailed Date: July 9, 2014

Adopted Date: July 2, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Petition of Lyft, Inc. (Lyft) for the Issuance of Notice of Proposed Rulemaking to Promulgate Rules for the Regulation of Transportation Network Companies Under the Commission's Rules Regulating Transportation by Motor Vehicle, 4 Code of Colorado Regulations 723-6 (Petition), filed on December 10, 2013.^{1,2} Being fully advised in this matter and consistent with the discussion below, we dismiss the Petition and close the Proceeding.

2. Lyft filed its Petition pursuant to §§ 24-4-103, 40-2-108, 40-6-101, and 40-10.1-106, C.R.S., and Rules 1304(g) and 1306(a) of the Rules of Practice and Procedure,

¹ Lyft filed a Corrected Petition on December 12, 2013.

² On the same date, Lyft also filed a Verified Petition for a Declaratory Order Concerning Regulation of Transportation Network Companies Under the Commission's Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6, Proceeding No. 13D-1293CP. We will address that matter by a separate Decision.

4 *Code of Colorado Regulations* (CCR) 723-1, which permit any interested person to file a petition for the issuance, amendment, or repeal of a rule.

3. Lyft argued in the Petition that the public interest requires that the Commission update its rules to recognize this latest technological innovation in passenger carriage. Lyft suggests certain rule provisions and requests that the Commission open a rulemaking proceeding and issue a Notice of Proposed Rulemaking for the purpose of promulgating rules regulating Transportation Network Companies (TNCs) under the Commission's Rules Regulating Transportation by Motor Vehicle, 4 CCR 723-6.

4. On December 30, 2013, the Petition was placed on the bi-weekly transportation notice for a period of 30 days. Interventions were received from MKBS LLC, doing business as Metro Taxi; Colorado Cab Company LLC, doing business as Denver Yellow Cab and Boulder Yellow Cab; and Hy-Mountain Transportation Inc., doing business as High Mountain Taxi.³

5. The Petition was not subsequently placed on a Commission agenda, as the Colorado Legislature at that point had undertaken efforts to draft a bill which would deal with the legal status of TNCs.

6. On June 5, 2014, Governor Hickenlooper signed into law Colorado Senate Bill 14-125 (SB 125), which created a new statutory section for TNCs. SB 125 directs the Commission to promulgate rules relating to insurance, criminal history background checks, the application for a TNC permit from the Commission, and other related matters outlined in greater detail in SB 125 itself. The Commission has adopted temporary rules and will soon begin a more comprehensive, permanent rulemaking process which will deal with these areas.

³ Colorado Cab Company LLC was joined in its intervention by Colorado Springs Transportation LLC and Shamrock Taxi of Fort Collins, Inc. Hy-Mountain Transportation Inc. was joined by Colorado Springs Shuttle, LLC; Estes Valley Transport, Inc.; Snow Limousine, Inc.; and MT Acquisitions, LLC, doing business as Mountains Taxi.

7. Accordingly, the Commission will dismiss the Petition, and deny the interventions as moot.

II. ORDER

A. The Commission Orders That:

1. The Verified Petition of Lyft, Inc. for the Issuance of Notice of Proposed Rulemaking to Promulgate Rules for the Regulation of Transportation Network Companies Under the Commission's Rules Regulating Transportation by Motor Vehicle, 4 Code of Colorado Regulations 723-6, filed on December 10, 2013 is dismissed, and this proceeding is closed.

2. The interventions filed by MKBS LLC, doing business as Metro Taxi; Colorado Cab Company LLC, doing business as Denver Yellow Cab and Boulder Yellow Cab; and Hy-Mountain Transportation Inc., doing business as High Mountain Taxi are denied as moot.

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 this Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 2, 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