

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0568EC

IN THE MATTER OF THE PETITION OF MILLENNIUM LIMOUSINE, LLC, FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF RULE 6305(B) (AGE OF VEHICLES) OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

DECISION DENYING WAIVER

Mailed Date: July 15, 2014
Adopted Date: July 9, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a Petition for Waiver/Variance of Limited Regulation Carrier Rules filed on May 27, 2014, by Millennium Limousine, LLC (Millennium Limousine).

2. Millennium Limousine requests a waiver of Rule 6305(b) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6 (Age of Motor Vehicles).

3. The vehicle for which a waiver is requested is a 2004 Lincoln Town Car,¹ VIN No. 1LNHM81WX4Y678461. The waiver is requested from May 15, 2014, through May 15, 2017.

¹As of July 1, 2014, the age of the 2004 Lincoln Town Car is 11 model years.

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

5. 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.

6. Pursuant to Rule 1003 of the Rules of Practice and Procedure, 4 CCR 723-1, the Commission may grant waivers or variances from tariffs, Commission rules, and substantive requirements contained in Commission decisions and orders for good cause. In making a determination, the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

7. Rule 6305(b), 4 CCR 723-6, states that “luxury limousine carriers shall not use vehicles older than ten model years as of July 1 of each year.” Millennium Limousine, under limited regulation Permit No. LL-02120,² may provide luxury limousine service between all points in Colorado.

8. In support of this Petition, Mr. Mohamed Qadielidrissi the owner of Millennium Limousine states:

I’m petitioning for a waiver to rule 6305(b) Age of Motor Vehicle, related to the automobile[’s] pristine appearance[,] low mileage, and overall excellent condition. Our company is a small, family owned business. The vehicle we are requesting the petition for is the primary car used for our

² Permit No. LL-02120 was issued to Millennium Limousine on August 29, 2012.

business. We request the waiver to give us time to get established and be able to upgrade.

Mr. Qadielidrissi also submitted six pictures of the interior and exterior of the vehicle. The 2004 Lincoln Town Car does appear to be in good condition.

9. However, Mr. Qadielidrissi did not provide support to show that Millennium Limousine would incur any hardship if the petition is not granted. Therefore, the Commission finds that good cause has not been shown to grant a waiver of Rule 6305(b) for the 2004 Lincoln Town Car named in this petition.

II. ORDER

A. The Commission Orders That:

1. The petition of Millennium Limousine, LLC, for a waiver of Rule 6305(b) for the 2004 Lincoln Town Car, VIN No. 1LNHM81WX4Y678461, is denied.

2. 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.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 9, 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