

Decision No. C14-0858-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0751EC

IN THE MATTER OF THE PETITION OF PRIVATE COACH, LLC, FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF RULE 6308(B) (AGE OF VEHICLES) OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

**INTERIM DECISION
GRANTING SHORTENED NOTICE**

Mailed Date: July 22, 2014
Adopted Date: July 17, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Petition for Waiver/Variance of Limited Regulation Carrier Rules (Petition) filed on July 8, 2014, by Private Coach, LLC (Private Coach). In the Petition, Private Coach also requests that the notice period for the waiver be reduced to ten days.

B. Findings and Conclusions

2. Private Coach requests a waiver of Rule 6308(a)(III) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6 (Age of Motor Vehicles). Private Coach, under limited regulation permit No. LL-01859,¹ may provide luxury limousine service between all points in Colorado.

¹ Permit No. LL-01859 was issued to Private Coach on June 18, 2010.

3. Rule 1206(d) (Commission Notice) of the Rules of Practice and Procedure, 4 CCR 723-1 requires that the intervention period for a notice mailed by the Commission shall expire 30 days after the mailing date.

4. Rule 1401(a) of the Commission's Rules of Practice and Procedure, 4 CCR 723-1 states:

Except as provided by paragraph (d) of this rule, any person may file a notice of intervention as of right or a motion to intervene by permission within 30 days of notice of any administrative or adjudicatory proceeding, unless the Commission's notice or a specific rule or statute provides otherwise.

5. Rule 1003(a) provides that:

The Commission has promulgated these rules to ensure orderly and fair treatment of all persons. The Commission may, for good cause shown, grant waivers or variances from tariffs, Commission rules, and substantive requirements contained in Commission decisions. In making its 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.

6. In support of the request for the ten-day notice, Mr. Jason Telleen, the owner of Private Coach states:

Please process this request at the reduced period of ten days as I am experiencing a hardship of not having an airport sedan due to the [2008] Chrysler 300 being [totaled] by hail on 6-24-14. I do not know how long it will take for the insurance company to settle the claim and I do not know how long after that it will take to find a suitable replacement.

(Underscoring in original)

7. Therefore, we find that good cause has been shown to grant Private Coach's shortened notice request. The notice period for this Petition will be shortened to ten days.

II. ORDER

A. It Is Ordered That:

1. The request by Private Coach, LLC to shorten the notice period for the Petition for a waiver of Rule 6308(a)(III) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6 (Age of Motor Vehicles) filed on July 8, 2014, is granted.

The notice period shall be ten days.²

2. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 17, 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

_____ Commissioners

COMMISSIONER GLENN A. VAAD
ABSENT.

² This Petition will be included in the Commission's Notice of Applications Filed as mailed on July 28, 2014. Therefore, the ten-day notice period shall expire at 5:00 p.m. on August 7, 2014.