

Decision No. C14-1375

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0962CP-EXTENSION

IN THE MATTER OF THE APPLICATION OF MAIRIK ADULT DAY CARE, FOR
AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY NO. 55800.

**COMMISSION DECISION GRANTING
EXTENSION TO CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**

Mailed Date: November 17, 2014

Adopted Date: November 12, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On September 24, 2014, Mairik Adult Day Care (Applicant) filed an application for permanent authority to extend operations under Certificate of Public Convenience and Necessity (CPCN) PUC No. 55800 to increase the maximum number of vehicles in restriction (F) from six to eight vehicles.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on October 6, 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 extension to CPCN PUC No. 55800. 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. Applicant states that it does not have enough vehicles to transport its clients from their home to the day care facility. Applicant further states that “[w]e are dealing with the elderly population and they are not happy about a long wait.”

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 to extend operations under CPCN PUC No. 55800 is in the public interest and will be granted.

II. ORDER

A. The Commission Orders That:

1. This application was deemed complete on November 12, 2014, within the meaning of § 40-6-109.5, C.R.S.

2. Mairik Adult Day Care is authorized to extend operations under Certificate of Public Convenience and Necessity (CPCN) PUC No. 55800 to increase the maximum number of vehicles in restriction (F) from six to eight vehicles.

3. The complete authority under CPCN PUC No. 55800, as extended, shall be as set forth in the Appendix attached to this Decision.

4. Mairik Adult Day Care shall operate in accordance with all applicable Colorado laws and Commission rules.

5. Mairik Adult Day Care shall not commence the extended operations 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. [Mairik Adult Day Care 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).

6. If Mairik Adult Day Care 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 extended operations 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.

7. The Commission will notify Mairik Adult Day Care in writing when the Commission's records demonstrate compliance with Ordering Paragraph No. 5.

8. 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.

9. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 12, 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