

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-1106BP-SUSPENSION

IN THE MATTER OF THE APPLICATION OF ALLTOWN TRANSPORTATION, INC FOR AN ORDER OF THE COMMISSION AUTHORIZING A SUSPENSION OF CONTRACT CARRIER PERMIT NO. B-9911.

**COMMISSION DECISION GRANTING
SUSPENSION OF OPERATIONS**

Mailed Date: December 19, 2014
Adopted Date: December 17, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On November 17, 2014, Alltown Transportation Inc. (Applicant) filed an application seeking authority to suspend operations under Contract Carrier Permit No. B-9911 from November 15, 2014 through May 15, 2015.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on December 2, 2014, for a period of ten days.

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. Rule 6204 of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6, states that a regulated intrastate carrier wishing to voluntarily suspend its authority shall file an application explaining why the suspension is sought and how the suspension will affect the public. Rule 6204(b), 4 CCR 723-6, sets a maximum time limit of twelve consecutive months for voluntary suspension.

However, Rule 6204(c), 4 CCR 723-6, states that any request for waiver or variance from this time period limitation must demonstrate that the suspension is in the public interest and that alternative service will be available during the period of suspension.

5. Although Applicant was previously granted a suspension for twelve consecutive months by Decision No. C13-1484 in Proceeding No. 13A-1180BP-SUSPENSION, we find that the information submitted with this application satisfies Rule 6204(c), 4 CCR 723-6, and warrants the granting of the additional six months of suspended operations.

6. Therefore, we find that this application for authority to suspend Contract Carrier Permit No. B-9911 is in the public interest.

II. **ORDER**

A. **The Commission Orders That:**

1. This application was deemed complete on December 17, 2014, within the meaning of § 40-6-109.5, C.R.S.

2. The application filed by Alltown Transportation Inc. for authority to suspend operations under Contract Carrier Permit No. B-9911 is granted, *nunc pro tunc*, from November 15, 2014 through May 15, 2015.

3. On May 16, 2015, Contract Carrier Permit No. B-9911 shall be administratively reactivated.

4. Prior to commencing operations, Alltown Transportation Inc. shall:
(a) cause proof of insurance or surety bond coverage to be filed with the Commission pursuant to Rule 6007, 4 *Code of Colorado Regulations* 723-6; (b) pay to the Commission the applicable vehicle identification fee for each vehicle to be operated under authority granted by

the Commission; and, (c) ensure that an effective tariff is on file with the Commission, in compliance with applicable Commission rules.

5. 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.

6. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 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

GLENN A. VAAD

Commissioners