

Decision No. R14-0859

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0382CP

IN THE MATTER OF THE APPLICATION OF GOLDEN GATE MANOR, INC., DOING BUSINESS AS STEEL CITY TAXI FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
ACCEPTING WITHDRAWAL OF APPLICATION**

Mailed Date: July 21, 2014

I. STATEMENT, FINDINGS, AND CONCLUSIONS

1. On April 28, 2014, Golden Gate Manor, Inc., doing business as Steel City Taxi (Applicant) filed an Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire (Application) in call-and-demand taxi service for authority to operate as a common carrier by motor vehicle for hire for the transportation of passengers between all points in Pueblo County, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.

2. The Commission gave public notice of the Application on May 5, 2014.

3. On May 23, 2014, City Cab Co. (City Cab), filed an “Entry of Appearance and Notice of Intervention and Initial List of Witnesses and Exhibits” (Intervention). On May 27, 2014, City Cab filed a “Corrected City Cab Intervention, Entry of Appearance, Witness and Exhibit List” (Corrected Intervention).

4. During its weekly meeting held June 11, 2014, the Commission deemed the Application complete and referred it to an administrative law judge (ALJ) for disposition.

5. On June 23, 2014, the ALJ ordered the parties to submit a joint filing setting forth an agreed-upon proposed procedural schedule and hearing date(s) for the hearing on the Application. Decision No. R14-0680-I. The parties were required to submit their joint filing by 5:00 p.m. on July 3, 2014. The same Decision required City Cab to supplement its Corrected Intervention by filing a copy of its certificate of authority.

6. On or about July 3, 2014, the parties informally notified the undersigned ALJ that Applicant intends to withdraw the Application.

7. On July 16, 2014, Applicant filed a "Withdrawal of Application" (Withdrawal). The Withdrawal states that Applicant withdraws its Application in this proceeding.

8. The parties made no filings as required by Decision No. R14-0680-I. However, since Applicant has filed its Withdrawal, the ALJ finds that failure to comply with Decision No. R14-0680-I is harmless.

9. Applicant voluntarily wishes to withdraw the Application in this proceeding. The ALJ perceives no prejudice to any party by such a withdrawal. The ALJ will accept Applicant's withdrawal of the Application.

10. Pursuant to § 40-6-109, C.R.S., and for the foregoing reasons and authorities, the ALJ recommends that the Commission enter the following order.

II. ORDER

A. The Commission Orders That:

1. Consistent with the above discussion, the “Withdrawal of Application” filed by Golden Gate Manor, Inc., doing business as Steel City Taxi seeking to withdraw its Application for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire (Application) in this proceeding is accepted.

2. The Application is withdrawn.

3. Proceeding No. 14A-0382CP is closed.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

5. As provided by § 40-6-109, C.R.S., copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.

a) If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the decision is stayed by the Commission upon its own motion, the recommended decision shall become the decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.

b) If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in § 40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

6. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director