

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0633BP

IN THE MATTER OF THE APPLICATION OF SYLVER HOME CARE LLC DOING
BUSINESS AS HOME HELPERS/DIRECT LINK #58650 FOR A PERMIT TO OPERATE AS
A CONTRACT CARRIER BY MOTOR VEHICLE FOR HIRE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
PAUL C. GOMEZ
GRANTING MOTION TO CONDITIONALLY
WITHDRAW INTERVENTION, AND
VACATING PRE-HEARING CONFERENCE**

Mailed Date: August 20, 2014

I. STATEMENT

1. On June 9, 2014, Sylver Home Care, LLC, doing business as Home Helpers/Directline #58650 (Applicant) filed an application for a permit to operate as a contract carrier by motor vehicle for hire (Application).

2. On June 16, 2014, the Commission issued notice of the Application as follows:

For authority to operate as a contract carrier by motor vehicle for hire for the transportation of

passengers

between all points in the Counties of Adams, Douglas, Larimer, and Weld, State of Colorado.

RESTRICTIONS: This application is restricted:

- (A) to the transportation of passengers who are recipients of Medicaid;
- (B) to providing Non-Medical Transportation (NMT) services for the Colorado Department of Health Care Policy and Financing, 1570 Grant Street, Denver, Colorado;
- (C) against providing transportation services to or from airports and hotels; and,

(D) to no more than two (2) vehicles in service at a time.

3. The Commission issued notice of the Application to all interested parties on June 16, 2014. Therefore, parties had until July 16, 2014 to intervene in this proceeding.

4. On July 16, 2014, Colorado Cab Company, LLC, doing business as Denver Yellow Cab, Boulder Yellow Cab; Shamrock Taxi of Fort Collins, Inc.; and Colorado Springs Transportation, LLC (collectively, Colorado Cab), filed an Entry of Appearance and Notice of Intervention by Right, Alternative Motion for Permissive Intervention, Opposition to Application and Request for Hearing.

5. On July 31, 2014, Applicant amended the Application by changing the geographical areas to be served to Arapahoe County, Denver County, Adams County, and Jefferson County.

6. On July 23, 2014, the Commission, at its regular weekly meeting, deemed the application complete and referred the matter to an Administrative Law Judge (ALJ) for disposition. The matter was subsequently assigned to the undersigned ALJ.

7. On August 11, 2014, the Commission re-issued notice of the Application to include the newly proposed geographic areas to be served by Applicant.

8. On August 19, 2014, Colorado Cab filed a Motion for Conditional Withdrawal of Intervention (Motion). According to the Motion, based on the Amended Application which proposed new geographic areas of service, Colorado Cab's interests will have been satisfied if any authority granted to Applicant in this proceeding includes only those amended geographic areas.

9. The re-notice of the Application was provided by the Commission on August 11, 2014. Any other party wishing to intervene in this proceeding has until September 10, 2014 to

file a pleading seeking intervenor status. As of the date of this Interim Decision, no other party has sought to intervene here. Good cause is found to grant Colorado Cab's Motion. Should another party intervene and the proposed geographic areas sought through the Amended Application change in any manner, Colorado Cab retains the right to once again participate in the proceeding as an intervenor.¹

10. In the event that no other party seeks to intervene by the September 10, 2014 deadline, the merits of the Application will be considered without a hearing under the Commission's modified procedures.

11. The pre-hearing conference scheduled for August 21, 2014 will be vacated.

12. Response time to Colorado Cab's Motion will be waived.

II. ORDER

A. It Is Ordered That:

1. The Motion of Colorado Cab Company, LLC; Shamrock Taxi of Fort Collins, Inc.; and Colorado Springs Transportation LLC for Conditional Withdrawal of Intervention (Motion) is granted consistent with the discussion above.

2. The pre-hearing conference scheduled for August 21, 2014 is vacated and will not be re-scheduled at this time.

3. Response time to the Motion is waived.

¹ It will not be necessary for Colorado Cab to file a second petition to intervene if that is the case. It may merely provide notice that it is reviving its intervention in this matter.

4. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PAUL C. GOMEZ

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director