

Decision No. C19-0667

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19L-0412CP

IN THE MATTER OF THE APPLICATION OF BUGGY TOURS LLC TO REVISE ITS
TARIFF ON LESS-THAN-STATUTORY NOTICE.

**COMMISSION DECISION GRANTING TARIFF
CHANGES ON LESS-THAN-STATUTORY NOTICE**

Mailed Date: August 5, 2019

Adopted Date: July 31, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On July 26, 2019, Buggy Tours LLC (Buggy Tours), filed an application for authority to file the 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605 to become effective on less-than-statutory notice.

2. Buggy Tours, under Certificate Public Convenience and Necessity (CPCN) PUC No. 55940, may provide sightseeing service between all points in the County of El Paso, State of Colorado.

3. Buggy Tours, in the 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605, proposes to offer a promotional coupon that may be redeemed for a 50 percent reduction to the adult and children's sightseeing fare. The coupon may be redeemed by any passenger through October 31, 2019.

4. In support of this application to offer the discount coupon, Amanda Smolinski the co-owner of Buggy Tours states:

We would like to offer a grand opening special to kick start our business. This special will consist of a coupon that may be redeemed for 50% off the fare for 2 or more adult passengers travelling together. ...

Buggy Tours, LLC believes that this will help get our name out and attract customers as we are just getting started.

5. Buggy Tours was granted authority to provide sightseeing service as a common carrier on May 21, 2019 by Decision No. C19-0430 in Proceeding No. 19A-0178CP. After completing the compliance requirements named in Decision No. C19-0430, Buggy Tours was issued CPCN PUC No. 55940 on June 27, 2019. Therefore, Buggy Tours has only been able to provide sightseeing service for approximately five weeks.

6. As a common carrier, Buggy Tours is required by Rule 6208(a) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* 723-6 to have an approved tariff on file with the Commission. Rule 6208(d) states that

Proposed tariffs shall provide for 30 days' notice before they are in effect, unless the Commission has approved an application for less than statutory notice to shorten this time period, or as otherwise ordered by the Commission.

7. Unless Buggy Tours is granted approval to file the 3rd Revised page 2 Passenger Tariff, Colorado PUC No. 20190605 on less-than the 30 days' statutory notice, it will have to wait the full 30 day period to offer the promotional coupon.

8. In consideration of the support provided with this application, the Commission finds that Buggy Tours has shown good cause to allow the 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605 to become effective on less-than-statutory notice.

II. ORDER

A. The Commission Orders That:

1. This application filed on July 26, 2019, by Buggy Tours, LLC (Buggy Tours) was deemed complete for purposes of § 40-6-109.5, C.R.S., on July 31, 2019.

2. The Application of Buggy Tours to publish the 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605 to become effective on less-than-statutory notice is granted.

3. Buggy Tours is authorized to file, on not less than one day's notice to the Commission, an advice letter and the 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605. The 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605 is attached as Appendix A and made a part of this Decision. The promotional discount offered on the 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605 may remain in effect through January 6, 2015.

4. The advice letter and the 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605 shall be filed within ten days of the effective date of this Decision. The advice letter and the 1st Revised Page 7 to Passenger Tariff, Colorado PUC No. 20190605 shall be filed no later than the last business day prior to the proposed effective date.

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 effective date of this Decision.

6. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 31, 2019.**

(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

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners