

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0505CP-EXT

IN THE MATTER OF THE APPLICATION OF RAMBLIN' EXPRESS, INC. FOR APPROVAL OF THE CONSOLIDATION OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY NOS. 45392, 47966, 48419, AND 55787 INTO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY NOS. 45392 AND 47966; THE ELIMINATION OF ANY DUPLICATION OR OVERLAP IN CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY NOS. 45392, 47966, 48419, AND 55787; AND TO ABANDON CERTAIN SECTIONS OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY NOS. 45392, 47966, 48419, AND 55787.

**COMMISSION DECISION GRANTING
APPLICATION TO CONSOLIDATE, ELIMINATE
DUPLICATION OR OVERLAP, AND TO ABANDON
CERTAIN SECTIONS OF CERTIFICATES OF
PUBLIC CONVENIENCE AND NECESSITY
NOS. 45392, 47966, 48419, AND 55787.**

Mailed Date: December 6, 2019

Adopted Date: December 4, 2019

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On September 17, 2019, Ramblin' Express, Inc, (Ramblin' Express) filed an application for approval of the consolidation of Certificates of Public Convenience and Necessity (CPCN) PUC Nos. 45392, 47966, 48419, and 55787 into CPCNs 45392 and 47966; the elimination of any duplication or overlap in CPCNs 45392, 47966, 48419, and 55787; and to abandon certain sections of CPCNs 45392, 47966, 48419, and 55787. Ramblin' Express filed a supplement to the application on October 25, 2019.

2. The Commission noticed this application to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on October 28, 2019. No petition to intervene or

otherwise participate in this proceeding has been filed. Therefore, this proceeding is uncontested and under § 40-6-109(5), C.R.S., may be determined without a hearing.

3. A review of the four certificates named in this application shows the Commission granted the transfer of: a) CPCN 45392 from Dean Colligan dba Rockrimmon's Children Center to Ramblin' Express in July of 1996; b) CPCN 47966 from Pueblo Shuttle Express to Ramblin' Express in August of 1993; c) CPCN 48419 from Casino Transportation, Inc. to Ramblin' Express in March of 2016; and d) CPCN 45392 from Four Aces Transpo, LLC to Ramblin' Express in May of 2016.

4. Todd Holland, the manager of Ramblin' Express, submitted the following statement in support of this application:

5. Since 1993 Ramblin Express has acquired and/or extended operating authority for various common carrier transportation services in Colorado under multiple Certificates of Authority. Most recently, Ramblin Express was granted permission to extend operations under Certificate 47966, creating overlap with existing portions of Certificate 47966 and other Certificates. We propose working with PUC administrative staff to consolidate and cleanup the scope of operations allowed in these Certificates to address any and all duplication and overlap.

6. To complete the consolidation of the four certificates, Ramblin' Express proposes that: a) the scheduled and call-and-demand shuttle service authorized by each of the certificates be placed in CPCN No. 47966; b) the call-and-demand charter service authorized by each of the certificates be placed in CPCN No. 45392; c) certain sections of CPCN 47966 be eliminated as they are either duplicative or overlapping; and d) CPCNs Nos. 48419 and 55787 be canceled.

7. In consideration of the information submitted by Ramblin' Express with this application, we find that good cause has been shown to grant the requested consolidation of the four certificates into two certificates and the granting of the application is in the public interest.

8. We also find that the present or future public convenience and necessity requires, or will require the transportation services authorized by the two remaining active certificates and that Ramblin' Express is fit to perform the authorized services.

II. ORDER

A. The Commission Orders That:

1. This application was deemed complete for purposes of § 40-6-109.5, C.R.S., on December 4, 2019.

2. The application filed on September 17, 2019, by Ramblin' Express, Inc, (Ramblin' Express) for approval of the consolidation of Certificates of Public Convenience and Necessity (CPCN) PUC Nos. 45392, 47966, 48419, and 55787 into CPCNs 45392 and 47966; the elimination of any duplication or overlap in CPCNs Nos. 45392, 47966, 48419, and 55787; and to abandon certain sections of CPCNs Nos. 45392, 47966, 48419, and 55787 is granted.

3. The consolidation of authority under CPCN Nos. 45392, 47966, 48419, and 55787 into CPCN Nos. 45392 and 47966 shall be as set forth in Appendix A attached to this Decision. CPCNs Nos. 48419 and 55787 are canceled.

4. To complete the consolidataion of certificates described in Ordering Paragraph No. 2, Ramblin' Express shall fully comply with the following conditions:

- (a) cause proof of insurance (Form E or self-insurance) or surety bond (Form G) coverage to be filed with the Commission;
- (b) pay to the Commission, the motor vehicle fee 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) file with the Commission and have an effective, publicly available tariff, which includes the extended authority. The filing shall consist of an advice letter and the corresponding tariff. The advice letter and tariff shall be

filed as separate documents in one new Advice Letter proceeding. The advice letter and tariff shall be filed on not less than ten days' notice prior to a proposed effective date. 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 proposed effective date. Information can be found at:

<https://www.colorado.gov/pacific/dora/Trans-Tariffs>;

- (d) register an authorized representative as a File Administrator on behalf of Applicant in the Commission's electronic filing system (E-Filings) and agree that Applicant shall receive notifications electronically through E-Filings. Information can be found at:

www.dora.state.co.us/pls/efi/EFI.homepage; and

- (e) pay the applicable fee (\$5.00) for the issuance of the authority.

5. If Ramblin' Express does not comply with each requirement in Ordering Paragraph No. 4, within 60 days of the effective date of this Decision, the consolidation of certificates granted in Ordering Paragraph No. 2 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.

6. The Commission will notify Ramblin' Express in writing when the Commission's records demonstrate it has fully complied with the requirements of Ordering Paragraph No. 4.

7. 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.

- 8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 4, 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